The Forum

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COMPULSORY DISHONESTY.

BEFORE smokeless powder was invented, an army was sometimes wrapped in the black gases belched from its own guns. Its soldiers were, in some respects, safer than when the air was clear, but the effectiveness of its guns was greatly lessened. The silver orators do not use smokeless powder, and, though the great political battle has only begun, the air is already thick. Let us go to a hilltop, or a tree-top, and see if we cannot trace the lines—at a few points.

The free-silver leaders do not seem to me to deny what their opponents assert,—namely, that the free coinage of silver at the ratio of 16 to 1 will, if the relative commercial value of gold and silver remains unchanged, wipe out about one half of every existing promise to pay money; that every promissory note, bond, savings-deposit, bank deposit, building-association certificate, life-insurance policy, pension, salary, and wage contract will be affected precisely as if the note, bond, certificate, deposit book, contract, or pension certificate had been surrendered for a new one in which was written one half the amount of the old. "'How much owest thou unto my lord?' And he said, 'A hundred measures of oil.' And he said unto him, 'Take thy bill, and sit down quickly, and write fifty.'"

A North-Western Senator told me, when the silver debate was on in the Senate in 1890–91, that a Southern Senator had said to him, "I do not want you to think that I am a fool. I know that the free coinage of silver will scale the debts that my people owe—and that 's what we want. We are poor and in debt." The Senator thus addressed

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replied, "Well, I think you have saved your intellectual integrity, but at the cost of your moral integrity." When Senator Hill, of New York, in the Chicago Convention, pressed this objection to free coinage, and Senator Vilas, of Wisconsin, declared that free coinage was robbery, Mr. Bryan, in a speech that won him the nomination for the Presidency, had only this to say in reply:—

> "But if he means to say that we cannot change our monetary system without protecting those who have loaned money before the change was made, I want to ask him where, in law or in morals, he can find authority for not protecting the debtors when the act of 1873 was passed, but now insists that we must protect the creditor?"

Senator Hill offered an amendment to the platform to carry out his thought—that when the United States degraded its coined dollars, their legal-tender quality should not extend to existing contracts. Some of the newspapers reported that the resolution was adopted unanimously; but that must have been a mistake, unless the Convention in the confusion failed to understand the question. I have not seen an official copy of the platform, but it is understood that the presiding officer declares that Senator Hill's amendment was rejected. It would have taken the soul out of the free-silver campaign; and, so far from offering the relief that Mr. Bryan promises to the farmer-debtor, would require him to buy gold at an enormous premium to pay his debt, while he sold his products for silver.

The quotation I have made from Mr. Bryan's Convention speech—and every other speech that I have seen—seems to me to affirm the legal and moral right of the United States to degrade its money standard, to pay its obligations in the debased coin, and to give to its citizens the right to discharge their debts in the same way. He meets the champion of the doctrine that the dollar of payment should be as good as the dollar borrowed, with a general denial and a counter-claim. The counter-claim is presented in behalf of the debtors of 1873—who, he intimates, were injured by the dropping of the silver dollar from our coinage in that year.

It is the supposed injury to the debtors of 1873 that he proposes to recoup from the creditors of 1896. He takes no account of the fact that the debtor and creditor classes are not fixed classes in this country; that the debtor of 1873 may be the creditor of 1896; and that the counter-claim, pleaded in behalf of the debtors of 1873, would be levied on their own goods in considerable part, and be paid to the men who are supposed to have despoiled them in 1873. About the only

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bonds that run twenty-five years are railroad and other corporate bonds. Farm mortgages rarely run more than five years. The railroads, the banks, the large corporations, and the United States are the great debtors of 1873, who are still in the debtor class; and among their creditors are the thrifty poor, the widow, the orphan, and the disabled veteran. The proposition is that these great debtors shall now be permitted to discharge their obligations in dollars worth one half of the dollars now in use. I must qualify that statement: it is not that they shall be permitted, but *compelled*, to pay in the debased dollar. Dishonesty is not made optional but compulsory; for, while the United States must receive its taxes and customs dues, and the banks their loans, in the new dollar, they cannot pay in the old. And, more than all this, we are promised legislation that shall prohibit us from promising to pay in gold the gold we have borrowed. If the debtor is too honest to set up the defence, I suppose the Court will be required to appoint a guardian *ad litem* to file the plea for him!

Only one chance of escape is offered to us from the conclusion that one of the great historical parties of the country is now making a campaign for the repudiation of one half of all the indebtedness of the country—national, corporate, and individual,—and that is found in the suggestion that free coinage will raise the value of silver sufficiently to make the silver dollar the commercial equivalent of the gold dollar. This suggestion was put forth when Mr. Bryan was, in some measure, under the influence of that conservative sense of responsibility which is usually felt by the man who is proposed for the greatest office instituted by the Constitution. But it is not a proposition upon which the free-silver advocates agree, I think. It is not put to the front of the campaign—it was not so well thought of as to appear in the platform, either as a probable result of free coinage, or even as a thing to be desired. To borrow an illustration from S. S. Prentiss, Mr. Bryan uses the suggestion—that silver will rise to a parity with gold—as a heavy bird of flight uses the limb of a dead tree for a perch—the bird keeps its wings extended and in gentle motion while it tries the strength of the limb. I have not observed that Mr. Bryan has much argued the point. Indeed, he has been sharply taken to task by friends for making it. It destroys the whole silver programme. They say that gold has appreciated; that the gap between the silver and the gold dollar has been wholly caused by the rise in the value of the gold dollar; that the silver dollar is therefore the old and true measure of values. Now if free coinage will lift the value of sixteen ounces of silver to

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the present value of one ounce of gold, silver will then be as obnoxious as gold. The whole scheme will fail—for the scheme is to keep silver where it is. Gold, they say, created the disparity by going up; and, if equality is again to be established, gold must abandon its giddy flight and come down to its heavy and conservative sister. They see that a proposition to degrade the gold dollar, by the use of an alloy, to the present bullion value of the silver dollar would be a proposition too raw for the palates of the people. So they let gold go—as Mr. Bryan said they will neither give nor ask quarter in the fight against it. By the free coinage of silver at the present ratio gold will be banished from our currency and from our country—for no man will be fool enough to give a gold dollar for what a silver dollar will buy, when he can exchange his gold dollar for two silver ones; and no dollar that is at a premium—that is worth more than its face—will circulate as money.

But it is not true, as Mr. Bryan seems to intimate, that the law of 1873 changed our money standard to the injury of the debtor class. The silver dollar was dropped from our coinage, but it was not then a cheap dollar, but a par dollar—the 371¼ grains of pure silver contained in it were the full equivalent, as bullion, of the 23.22 grains of pure gold contained in the gold dollar. The recent Treasury Department circular (No. 123) shows that the average bullion value of 371¼ grains of pure silver during the year 1873 was $1.004; that is, the commercial ratio between silver and gold was 15.92 to 1, while our coinage ratio was 15.9884 to 1. It is not fair, then, to liken the change in our coinage laws made in 1873 to that now proposed. The former involved neither dishonesty nor oppression. The dollar that was dropped and the dollar that was retained were commercial, as well as legal, equivalents; and the change did not favor the creditor class nor injure the debtor class. There had been coined from the beginning of the Government up to 1873 only 8,031,238 silver dollars; and if we may indulge the impossible suggestion that all these dollars were in circulation in 1873, the debtors then had only 8 million silver dollars to use in paying their debts, while now they have more than 438 millions of full legal-tender silver dollars to use in that way.

In order to make good the charge that the law of 1873 wrought the injuries imputed to it, the assertion is made that the gold dollar has appreciated—gone up. And how do they set about proving that gold has gone up? Condensed, the argument is this: It takes more wheat to get a gold dollar than formerly, and therefore the gold dollar has

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gone up. But the deduction from that premise is in the alternative—either gold has gone up or wheat has gone down. Commonly, we would say wheat is lower, and would seek the explanation in a large general crop or in diminished consumption. We know that these things do affect the price of wheat and will continue to do so under free silver coinage. Drouth and rust and the cinch bug, a full European crop, the increasing output of Russia, India, and Argentina, closed American mills, and enforced economy in the homes of American workmen—these things always have and always will affect the price of wheat. Another thing to be taken into account in this connection is the production of gold—for if a large wheat crop means, commonly, a lower price, so a large crop of gold must mean a lower value for gold. The world's production of gold in 1873 was $96,200,000, and only in two years since then has it fallen below that figure. All other years show an increase, and the last five years a steady and enormous increase. In 1894 the production was $180,626,100, and the product for 1895 is estimated at $203,000,000. The production of silver has increased from $81,800,000 (coining value) in 1873 to $216,892,200 in 1894, and is estimated at $226,000,000 for 1895. Or, to state the production in fine ounces, gold has increased from 4,653,675 ounces in 1873 to 9,820,125 ounces in 1895, and silver from 63,267,187 ounces in 1873 to 174,796,875 ounces in 1895. In view of these considerations and of these figures as to production, who is wise enough to say that gold has gone up or silver down, or how much either metal has varied? And yet it is assumed that the silver dollar has been a true and stable measure of value, that it has neither gone up nor gone down since 1873, and that it would be honest to return to that standard and settle all contracts by it. Now how is this to be proved? or do our silver friends think it worth while to prove anything?

This illustration, used by Mr. Bryan, is the only attempt at argument I have seen: If—he says—a man able to perform his contracts should offer to pay one dollar per bushel for all the wheat brought to him, would not the price of wheat go up to a dollar? But the United States is not to buy the silver—it only puts a stamp on it and returns it to the owner. It is rather as if a miller should offer to take all the wheat brought to him, to grind it into flour without charge, to put each one hundred pounds of the flour into a barrel, to stamp on the head of it "This is a barrel of flour," and to return it to the owner. How would the price of wheat, or of flour, be affected by that transaction?

There are many people, I suppose, who would scorn to take advan-

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tage of a law that allowed them to have a full discharge from their debts upon the payment of fifty cents on the dollar, but who do not feel humiliated by the suggestion that they shall pay them with a coin called a dollar but worth only fifty cents as compared with the dollar they borrowed. It is said to be the old dollar—the dollar of the Constitution, and of the Fathers, and they are beguiled. It is neither—the Constitution does not require Congress to coin silver dollars at the ratio of 16 to 1, or at any other ratio, or at all. It confers upon Congress the power "to coin money, regulate the value thereof, and of foreign coin," and neither gold nor silver is anywhere mentioned in the Constitution save in a section prohibiting the States from doing certain things, where it says: "No State shall . . . . make anything but gold and silver coin a tender in payment of debts." It is not the old dollar, nor the dollar of our Fathers; for their dollar was based upon the then existing commercial ratio between silver and gold. If it had been suggested to Hamilton or to Jefferson that while the commercial ratio between silver and gold was 31 to 1 we should coin silver dollars at the ratio of 16 to 1, they would have suggested the writ *de lunatico inquirendo*. They followed the commercial ratio into three decimal numbers to find the coining ratio; and these claim to be their followers who say that the commercial ratio should be entirely disregarded. The former sought a ratio that would keep both dollars in circulation—the latter, one that gives gold to Europe and associates us with Asia.

But, in fact, there is no reason to believe that silver would appreciate, as the result of free coinage, to a parity with gold at the present ratio. All that is guess-work—a guess not so much in the direction of the desires of the silver people, but to allay the fears of those who dread silver—monometallism, while desiring as large a use of silver as is consistent with the parity of our gold and silver dollars. Two of the leading free-silver Senators, when the Sherman bill was pending, were, I know, much more positive, than Mr. Bryan is now, that the purchase by the Government of 4,500,000 ounces of fine silver per month would take up the silver surplus that they said was weighing down the market price, and so make and keep our silver dollar at par with the gold dollar. The actual result was that 371¼ grains of pure silver—worth on the average in 1889 .724—advanced in 1890 to .926, and then declined each year until, in 1894, it reached the low limit of .457. Shall we trust these prophets again to our cost?

The demand for more legal-tender greenbacks in 1873 was the product of depressed commercial conditions, as is the present demand for

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free silver coinage; but the former was based upon the assumption that our *per capita* circulation was too low; that we did not have enough money. The latter is not based upon that assumption but upon the assumption that the money we have is too good—not more dollars but cheaper dollars is the demand—not a silver dollar that will abide with the gold dollar, but one that will exile the gold dollar. What the red flag is to a bull, gold is to the free-silver advocates. It excites their rage; they want to gore and toss it.

Other nations that are upon a silver basis are struggling to be rid of the depression and trade disadvantages that it entails. A depreciated currency, with its always present tendency to fluctuations, is, whether judged by philosophy or history, a curse. No intelligent commercial people is now content to use such a currency—except under the severest necessity,—nor to continue its use beyond the time of possible relief. It is easy to fall into the slough and hard to get out of it—but it is harder to remain in it. This great people will not consent to have a double standard—unless each money unit is the commercial equivalent of the other; and if they must have a single standard they will have the best.

BENJAMIN HARRISON.

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FREE COINAGE AND LIFE-INSURANCE COMPANIES.

"Our opponents have made a special appeal to those who hold fire- and life-insurance policies, but these policy-holders know that, since the total premiums received exceed the total losses paid, a rising standard must be of more benefit to the companies than to the policy-holders." (From Mr. Bryan's Speech of Acceptance, August 12th.)

If it is to be assumed that Mr. Bryan means by this statement that the standard now controlling financial operations favors the stockholders rather than the policy-holders of life-insurance companies, his reasoning is certainly absurd and grotesquely fallacious. He is, possibly, like many others, not fully conversant with the scope and organization of such companies. They take it for granted, unless interested, that the large accumulations for the payment of claims are a source of profit to stockholders who control the company in every respect, and who are enriching themselves from dividends and profits like the favored owners of a monopoly. They lose sight of the fact, if they ever knew it, that these organizations, with a few exceptions hereafter noted, belong to the people who are insured. The trustees are selected by the members, and there is not, nor can there be, a division of interest or a conflict between the "company" and the policy-holder such as Mr. Bryan has suggested. The membership constitutes the company; the company is the membership; and antagonism cannot exist any more than an individual could be at odds with himself. The remedy for righting a wrong and the power to provide against mismanagement are vested in the members. The company officials are the choice of the policy-holders, who entrust them with their funds; and in each State of the Union stands an official guardian for the insured of that State whose right and duty it is to know that every detail of the trust that means so much for each beneficiary is fulfilled to the letter. The life-insurance companies of to-day cannot be truthfully described either as money-making or local institutions; for there is neither profit in, nor limit to, their benefactions. It has been well said that life insurance is a form of communism that allows unrestrained individualism without the penalty of beggary entailed upon dependents or descendants.

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The life-insurance companies and associations operating in New York State—and they include all the prominent organizations of the United States—number one hundred and seventy-nine; of these, one hundred and sixty have no capital stock. The remaining companies, nineteen in number, all but four of which are practically mutual companies, have, as a guarantee of good faith, a capital stock which is generally deposited, after investment, with the Insurance Superintendent or Commissioner for the benefit of policy-holders. To emphasize this point attention is called to the fact that on $9,570,500 of capital stock, the dividends paid to stockholders in 1895 amounted to $741,312, which is less than 8 per cent per annum. During the same period the dividends to policy-holders were $15,297,603. The financial question is, therefore, of more importance to the 10,407,875 members of these associations—whose aggregated investments, amounting to $1,175,000,000, together with future premiums, and the interest accumulations of both, are pledged to the payment of claims amounting to $10,000,000,000—than it can possibly be to the 1,200 individual stockholders interested to the extent of seven tenths of 1 per cent of the assets. In the light of these figures there can be no question as to where the burden would fall if injury should be done to the life-insurance interests by this country's independent adoption of the free and unlimited coinage of silver at the ratio of 16 to 1.

The next and most important query is: If the law proposed should be enacted, how would it prove injurious to policy-holders? With due regard to the limited space to be occupied herein, detail must be avoided and general results made to answer. First, taking for the purpose of this paper the statements of the companies reporting to the Insurance Department of this State as covering the general business in the United States and the foreign business of American companies, it is found that the thirty-five regular companies so-called, on December 31, 1895, reported as assets $1,142,419,926,—a sum greater by $16,040,820 than the national debt at the same date. The cash part thereof awaiting investment was $46,730,953; and the invested assets were distributed as follows: real estate, $123,336,168; bonds and mortgages, $402,301,939; United States bonds, $16,221,442; other bonds and stocks, $456,968,091; collateral loans and loans to policy-holders, $63,197,073; premium obligations, $21,275,149; all other investments, $12,399,110. These vast sums were held in trust for 8,552,440 living policy-holders with dependent beneficiaries together numbering, at least, 25,000,000. The reserve for their protection, as

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determined and fixed by the Superintendent of Insurance under the laws of the State of New York, amounted to $965,573,017. These figures are exclusive of those of assessment and fraternal insurance associations doing business in said State whose memberships number 1,855,435, making an aggregate of 10,407,875 insured persons thus reported. The payments to all policy-holders, regular and assessment, during the year 1895 were $165,103,621.

Turning from the figures of the present to those of January 1, 1879, when specie payment was resumed, we find that the increase in the assets in the seventeen years following has been $738,340,782; in surplus reserve, $95,256,656; in outstanding policies, 9,795,032; in outstanding insurance, $8,205,709,311; and in yearly premium receipts, $209,155,887. It is beyond dispute from this exhibit that of the policies now in force, 93 per cent at least have been paid for in dollars worth one hundred cents the world over, and that the investments from such payments have been made with the same kind of dollars. The obligations contracted by the companies to their policy-holders in the United States and Canada[1] are stipulated to be payable in lawful money of the United States; while those in foreign countries are payable in gold. The companies having a foreign business report it at 212,957 policies insuring $679,972,314, with a premium income in 1895 of $27,346,589. If they are obliged to pay to the policy-holders of the United States "lawful money" not of equal purchasing value to that they are obligated to pay to policy-holders outside the United States, how unfair and unjust will seem such payments. It is also apparent that the statement quite frequently made as to many of the premiums on policies in force being paid in depreciated greenback currency is without the slightest foundation to support it when considered in connection with the official returns of the companies. If, then, the policy-holders of the United States are to be paid in dollars having but one half the purchasing power of the dollars they paid in premiums, they may well consider what free coinage means to them and to those depending upon them. It is not as if they had been paying for years in the equivalent of the

[1] The authorities in Canada, however, are alive to the interests of their citizens as policy-holders in our companies, for, on August 25 ultimo, a bill was introduced in the Canadian Parliament providing that when money becomes payable under a policy issued in favor of a resident of Canada, if the company refuses to pay the money in legal tender of Canada, although the policy may stipulate or imply the contrary, then the license of the company may be withdrawn by the Government. The act is to apply to all policies, whether issued before or after its passage.

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kind to be returned; and, therefore, to the extent that the money is worth less, by so much will they be mulcted.

It has been urged also by a few people that owing to the hard times caused, they say, by the "appreciation in the value of gold," many policies have been lapsed and forfeited to the companies; but it is well known that for many years past policies have been made non-forfeitable after three years' payments. The ratio of the yearly payments to policy-holders to the total money in circulation in the United States is about 10 per cent. For the past five years such payments aggregate $725,000,000, and the total amount ($1,962,493,455) paid to beneficiaries since the Mintage Act of 1873 exceeds by $452,768,255 the total money in circulation in the United States, July 1, 1896. How impartially the payments fall and how popular is the system that provides for them is best shown by the following schedule covering the 1895 reports of the thirty-five regular companies in the States and Territories of the Union:

	Insurance in force.	Premiums received.	Losses incurred.
North and East.....	$2,367,753,257	$87,917,712	$38,347,491
South and West.....	2,507,354,907	81,801,453	30,883,450
Totals.....	$4,875,108,164	$169,719,165	$69,230,941

If the investments of this great interest, vast in amount and the property of millions of people, are to be paid back to the companies in depreciated money, then, too, must the claims which they are held in trust to discharge be paid in like money. The custodians of these investments are only the collection agents of the claimants, and they must pay in the dollars they are compelled to receive, regardless of their actual value. They will have no other dollars to pay with. In response to a just demand, the companies for many years have issued contracts free of all doubt as to their prompt payment at maturity. Is it not equally important that the value of the money in which such payment is made should be likewise free from doubt? It would seem as though the best money in the world was none too good for the wives and children of the providers who had labored for them until death, or for the providers themselves when age finds them helpless.

It may be said that the companies should pay to their present American policy-holders gold or its equivalent. Aside from the fact that

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the Chicago Convention refused to adopt the plank providing "that any change in the monetary standard should not apply to existing contracts," and regardless also of the constitutional right of free contract, it would be impossible to make such gold payments, if free-silver coinage should prevail, without seriously affecting the financial condition of many of the companies. Their investments, such as real estate and securities payable in gold, are independent as to their value, whatever the standard of the United States may be, and in the event of its depreciating relatively to commodities generally, these specific investments above mentioned would appreciate relatively to that standard; but their other investments, as shown herein, are of the nature of securities the principal and interest of which are stipulated to be paid in lawful money of the United States. It is obvious, therefore, that these last mentioned resources would, in the event of the free coinage of silver, depreciate largely relative to gold, and the effect of attempting to pay liabilities in gold as they matured would be to use up accumulated surplus, and ultimately (if the gold premium in the United States were high enough) to cause a deficit in the required reserve. While there is no obligation expressed or implied to pay American policyholders in gold, yet it is obvious, when the quality of their premium payments is considered, that great disappointment and misery must result to their representatives through payment in depreciated money. The repayment, with a 50-cent dollar, of trust-fund dollars worth their face in gold when placed with the company would certainly cause many a heartache.

For the five years ending December 31, 1895, the companies paid in cash for lapsed, surrendered, and purchased policies the sum of $97,782,669. It will be seen that the future value of a dollar, while of greatest significance to those who are left without a provider, is of vast importance also to those who are privileged to retire from the company and entitled to a return of a part of the premiums paid by them. It is almost certain that the unlimited coinage of silver by this country alone at the ratio of 16 to 1, and declaring it a legal tender to an unlimited amount, would not avail to bring the relative bullion values of gold and silver the world over to such ratio. It follows that the effect would be to make gold go to a premium in the United States, as well as to increase the price of commodities generally in about the same, if not a higher, ratio as the premium to which gold would attain.

It would seem that the different views as to the free coinage of silver could be discussed frankly and fairly without giving offence,

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especially in its relation to the advancement and prosperity of the beneficent institutions for life insurance. Thirty-five of these institutions alone hold $239,286,118 more than the total capital and surplus of the national banks in the country; and from the dates of their respective incorporation have paid to policy-holders, $1,879,633,164. There has been nothing sectional in these payments, as the membership comes from every State and Territory of the Union; and it has increased largely in every year since the resumption of gold specie payments in 1879.

There can be no individual or other advantage to the administrators of these trusts in having geographical lines of preferences. The duty that is theirs to perform calls for honesty of purpose and unflinching devotion to principle in the interest of every policy-holder. Time-servers and opinionless people are not reliable trustees to care for the funds of widows and orphans, however well they may succeed in a political calling. The motive that prompts the custodian of trust funds to enter his protest against the policy which he honestly believes will, if carried out, result in the injury and depreciation of these funds, is not more questionable, to say the least, than that of the Texas editorial advocate of the free coinage of silver who, in the "Houston Post" of August 8, denounced insurance officers for daring to have an opinion differing from his own, and who declared at the same time that—

> "The life companies have more than $100,000,000 invested in real estate, and about $400,000,000 in mortgages. The latter amount represents a sum which the people have borrowed from the companies, and certainly no harm would come to the people if they had to pay back only half this sum to the companies."

It is men of this editor's calibre and opinions who do not know why the free coinage of silver cannot establish its absolute value as a metal. The law of supply and demand that, strangely enough, has not been suggested for "repeal" by the Populists, regulates the worth of silver as it does every other commodity, and yet, by some legerdemain not hinted at even in that nightmare called the Chicago platform, the more silver there is mined, the greater is to be the value thereof!

As yet in no part of our land has there been heard the voice of a single insurance officer who does not believe that there is great danger to the policy-holders in the proposed change in our financial system. What can be added to either argument or statement that would have greater force than this unanimous official opinion? Who are more competent to decide as to insurance interests than such officials, or who, in deciding, have greater responsibilities?

JOHN A. MCCALL.

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FREE COINAGE AND TRUST COMPANIES.

THE question how the free coinage of silver at the ratio of 16 to 1 would affect those who deal with, or whose property is the special care of, trust companies is one of vital importance. The business of trust companies, especially of the larger ones, is of so varied a nature—partaking of that of the incorporated bank, the great private banker, and the individual trustee, in all the different forms such trusts assume—that it represents accumulated property in about every relation it bears to the community at large. The Trust Company is the trustee of the bonds of the great railroad corporations, acting not as the agent of the railroads but as the representative of the individual bondholders, whose holdings, whether large or small, it identifies and protects. Examine the records of the surrogates' courts, and you will find the Trust Company acting in a multiplicity of offices,—as executor, administrator, trustee under wills, guardian of minor children, committee of the estates of the insane, or depository of securities and funds as the agent of the court. Go to those who have the care of the property of others and you will find that they deposit their funds with trust companies. Ask women unaccustomed to business where they place their funds and securities for safe-keeping, or individuals who desire a place to deposit their surplus money not needed for immediate use but held as a reserve against unforeseen contingencies,—the answer will be, with some trust company.

The Report of the Superintendent of Banks of the State of New York shows that the trust companies, in that State alone, held, on the first day of January last, deposits aggregating $307,000,000. The amount held by them, in their various fiduciary capacities, of private estates is not given, but these private trusts are of corresponding volume; while the amount of their corporate trusts may be measured by the numerous and immense railroad mortgages, of which they are the trustees to whom the individual bondholders look for protection.

This simple enumeration indicates how large a proportion of the population is interested, directly or indirectly, in trust companies. Whatever affects these institutions comes sharply home, therefore,

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to a vast number of our people; especially those who are unfitted or unable to conduct their own affairs to advantage, namely, beneficiaries under trusts, women inapt in selecting investments, widows and orphans—in other words those classes of the community whose protection should appeal to all as worthy of special care. These trusts are, moreover, by no means confined to the rich. For, in the words of the old Latin poet, "Death knocks with equal steps at the palaces of kings and the huts of the poor." Take the case of a hard-working breadwinner, whose little accumulation is represented perhaps only by a deposit in a savings-bank or a policy of life insurance. When the owner of such a small estate dies it is more difficult than in the case of a large estate to find suitable persons to administer the property; for the law requires that a bond for the faithful performance of duty shall be furnished, and suitable bondsmen are not easy to find and are often expensive. Here the Trust Company discharges a useful function by accepting the trust; but it is rather among persons neither very rich nor very poor that a Trust Company finds its greatest field of usefulness. Hence a large and continually increasing number of persons look to trust companies for the investment and preservation of their property and the payment of their income.

Let us now consider how the various interests alluded to would be affected by the free coinage of silver at the ratio of 16 to 1. The question presented is not that of international bimetallism—the coinage of both silver and gold by agreement of the commercial nations of the world at a fixed ratio and in such quantities as should admit of their being maintained upon an equal footing as the money of account: that is a vast question which elicits very differing and opposite opinions from men whose judgment commands respect; but it is not the question before the American people to-day. The proposition now presented to the country resolves itself into the simple question, Shall this country maintain the gold standard, recognized as the money of account and accepted by all the commercial nations of the world as the measure of value, or shall it change to and adopt the silver standard and thus place itself on a level with Mexico and China? It is urged in support of this proposed change to a silver standard that all values have depreciated in proportion to the market value of silver except that of debts, and that it is only equitable that these should be brought into line by compelling their payment in silver. So many elements enter into the cause of the change in the price of commodities, that, were the proposition true as to the depreciation of all values, it could not

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be predicated as the result of a fall in the price of silver alone. But the statement that debts have not depreciated in value is erroneous. No more striking proof of this can be found than in the numerous reorganizations of railway companies in which the interest and even the principal of their debts have been scaled down to meet diminished earning power. Holders of railway bonds can bear witness to the losses they have suffered from the depreciation in value of railway debts, and many investors in western farm mortgages have had a similar experience. When the borrower becomes embarrassed, or insolvent, his promises to pay depreciate in value and the holder, as well as the maker, of these promises suffers. But these variations in the value of debts are the common lot of all property, resulting from a change from prosperous times to the reverse. The proposition to depreciate the value of debts by deliberately altering the value of the medium in which they are to be paid is not equity but dishonesty.

It is unnecessary to discuss at length the historical and economical arguments offered by the advocates and opponents of the change. It is sufficient for the purposes of this article to consider some of its effects.

Gold would be virtually demonetized; that is, it would become a commodity commanding a premium in the currency of the country. As this currency, other than gold, is at present limited, it is not probable that the premium on gold would in the beginning equal the difference between the value of gold and silver bullion. So long as the premium was less than that difference there would be a profit for the owner of silver, who would have the right to take his 371¼ grains of silver bullion (worth now about 53 cents) to the mint and have it stamped as a dollar, which, being legal tender, he could force others to accept in payment for gold, or its equivalent in securities or goods. Upon what grounds should the people of the United States enable these men to make such a profit? Is it not evident that their profit is the people's loss? Nor is this profit to be confined to the owners of American silver mines alone, but foreigners are invited to share it! As time progressed the depreciation of the currency would increase, in proportion to the amounts of silver added to it, until the point of total saturation was reached, when the premium on gold would equal the difference in the bullion value of the two metals. This progressive depreciation would make the silver dollar a constantly fluctuating and unreliable measure of value. The income from trust funds,

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already less than that from unrestricted investments,[1] would constantly vary and gradually diminish in purchasing power, entailing suffering and hardship upon those least able to bear it. The man of business and the capitalist could to some extent protect themselves against these fluctuations in the value of the currency; but the beneficiaries under trusts—principally women and children—could only accept the inevitable and suffer. Surely the interests of the widow and the fatherless should be considered! It cannot be possible that the American people have ceased to respect thrift, or the daily self-denial that enables the breadwinner to lay up something for those dependent upon him as a provision for the hour of helplessness.

Savings-banks, life-insurance companies, and trust companies are all only so many machines to make such thrift and such self-denial effective; but no one of them probably comes in contact with people's affairs in so many different ways as the Trust Company. Some idea of the magnitude of their business may be obtained from the Report of the Superintendent of Banks, already referred to, which shows that the investments of the trust companies of the State of New York alone amounted, on the first of January last, to $129,000,000, and their loans to $198,000,000; while their total resources amounted to more than $392,000,000. These figures are based upon the existing monetary standard and show clearly the danger that would attend a change to a silver standard.

Enough, however, has been said to show how important to trust companies, and to those who deal with them, is the maintenance of a sound system of finance and the defeat of silver-monometallism. In the discussion of a change in the monetary standard the interests of trust companies and their clients are entitled to be considered, for the cause they advocate is that of simple justice and of private and national honor—in a word, the preservation of the standard of honesty and just dealing among our people and the unsullied credit and fair fame of our country among the nations of the earth.

EDWARD KING.

[1] In the State of New York the law restricts with great propriety the investment of trust funds to certain securities. They are, in general, United States bonds, New York State and City bonds, and bonds secured by first mortgage on real estate. The safety of the principal is the primary object; the amount of income secondary. The effect is, therefore, to reduce the income of trust funds below that of ordinary investments.

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FREE COINAGE AND FARMERS.

If gold and silver remain at a parity when we have the free and unlimited coinage of both metals at a ratio of 16 to 1, then the people of this country, acting through the machinery of the national Government, will pay one dollar for about fifty cents' worth of silver. It is safe to say that not one hundred farmers in all the country will have any silver bullion to sell. Practically the only individuals having silver bullion to sell will be the owners of silver mines and moneyed speculators—rich men. If gold and silver do not remain at a parity when we have the free and unlimited coinage of both metals at a ratio of 16 to 1, then the holders of gold which is now out of circulation, being hoarded in banks, safe-deposit vaults, and elsewhere, will be able to sell it at a premium which may reach near to 100 per cent. It is safe to say that all the farmers of the country will not hold 1 per cent of the gold in the country; and thus the premium will go into the pockets of those "Shylocks" who are continually being denounced by the free-coinage advocates.

Thus, whether gold and silver remain at a parity, or whether they separate, the farmers will reap no benefit; in either case the direct effect will be to enrich the very ones who, the free-coinage advocates claim, are already too rich; the direct effect will be the very effect that these advocates declare it their object to avoid—"making the rich richer." And, as there will be no creation of real value, the effect must also be to "make the poor poorer."

Certainly the rich mine-owners and money-lenders are not rightful objects of the nation's charity. There is no more reason why the Government should pay one dollar for fifty cents' worth of silver than that it should pay one dollar for fifty cents' worth of wheat.

The national Government is the instrument of the nation, the machinery by which the people as a nation do business. If the Government pays out a dollar it must be a dollar that belongs to the people; in most cases a dollar that the people have paid as a tax; in every case a dollar that could be paid out for the benefit of all the people—to improve the mail service, for example. If the holder of

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silver bullion is paid by the Government two dollars for bullion that is commercially worth only one dollar, it is not the Treasurer of the United States who furnishes the money, but the people of the United States. The farmers of the country will furnish from the proceeds of fifty-cent wheat and twenty-cent corn a very large part of the millions of dollars that will be used to enrich the owners of silver mines. All farmers will pay this tribute to the rich men who own these mines.

The free and unlimited coinage of silver demanded by the Chicago platform would not be, by reason of an increased price given to silver bullion or by reason of putting gold at a premium, of any benefit to the farmer, the manufacturer, the merchant, the mechanic, or the common laborer; none of these has gold hoarded or will have silver bullion to sell; the only ones who will be enriched will be the very ones that the advocates of the free-silver coinage demanded by the Chicago platform declare should, of all men, not be enriched; the very ones that it is sought to array the farmers and laborers against. The farmer will not be benefited if gold and silver remain together; he will not be benefited if they fall apart. "Wall Street"—that is, what the advocates of the free and unlimited coinage of silver mean by that term—would profit in either case; for a fluctuating currency increases its opportunities for "gambling." It would probably get a share of the profit by being paid more for silver than it is worth, or of having gold at a premium; but this share would not be taken from the mine-owners or the "Shylocks," but be made through "manipulating the market"—increasing the fictitious value given silver or forcing higher the premium on gold. It would thus grow fat on the necessities of business and the misfortunes of the people. Instead of "Wall Street," as the Populists understand "Wall Street," being successfully combated by the free and unlimited coinage of silver, it would successfully manœuvre with silver and gold, forcing the price up one day and down the next, to the profit of the "gamblers," and the unsettling, perplexity, and disaster of every business interest. Farming is a business interest.

Whenever in a country there have been two kinds of money, the one inferior in bullion value to the other, the inferior money has circulated among the farmers, and the money that found its way into the strong boxes of the rich and the hands of "usurers" has been the better money. It will be so until human nature changes,—until a man voluntarily parts with the better of two things and retains the worse for himself. Farmers always have been, and always will be, the chief sufferers from the discrediting and debasing of any part of the money

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of a country. In the days of the "wild cat" currency, farmers had the least coin; and as, from the nature of their business and the longer time required for information to reach them, they could not keep so well-informed as could bankers and merchants, they were nearly always the losers. They it was who suffered most from the rotten currency of those days. Can any good reason be given why they would not suffer most from the debasement of any part of our currency now?

The more convenient greenbacks, treasury notes, bank notes, and silver certificates have always circulated almost entirely in cities, and the less convenient silver in the country. Gold and gold certificates went out of circulation in the country several months before they went out of circulation in the city. One rarely sees a treasury note or greenback in the country now. The best money has gravitated to the cities, being retained there, and the money not redeemable in gold being paid out, until on the farm one finds now only silver, silver certificates, national-bank notes, and an occasional stray greenback. The farmer has been made to bear the brunt from the distrust of a part of our currency. Debase that currency and the injury to the farmer will be increased.

Legitimate business—the business that makes real (not speculative, fictitious) value by employing labor in the field, the mine, the shop, or the store, or by transporting products—is most solidly prosperous when the currency is stable and every part of it has a certain and fixed value in no wise doubted or distrusted by the people; and such business has always suffered by a change in these conditions. The history of our country does not furnish a single exception to this; and it is exceedingly doubtful if the history of the world furnishes an exception. The free and unlimited coinage of silver demanded by the Chicago platform would therefore be very injurious to the farmer, the manufacturer, and the merchant for years to come. To doubt this injury to business is to count as naught all the experience of the past; it is equivalent to saying that the opposite of what has always happened will happen. It would not be more illogical to say that because we should coin, at the ratio of 16 to 1, all the silver that might be brought to our mints, water would run uphill and the clouds would drop sunshine. Already the very possibility of the demand of the Chicago platform being complied with has closed mills, thrown thousands out of employment, and practically paralyzed business—in brief, brought us face to face with hard times.

The prosperity of the farmer has always depended upon the ability of other classes to buy of him, and his comfort upon the

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ability of other classes to furnish him with what he needed and could buy; but he is to-day more dependent upon other classes than he was when the major part of the clothing worn on the farm, of the furniture in the farmhouse, and of the implements used in the fields, was made altogether, or nearly altogether, beginning with the basic raw material, on the farm, and when the major part of the surplus farm products was transported to the ultimate market by the farmer himself, using means of transportation that he himself owned. Farming is now more closely linked to other industries, and with them it shares a greater interdependence of industries. In these days the farmer depends upon the mine, the forest, the furnace, the foundry, the shop, the factory, the warehouse, and the railway, for the dozen machines—sulky plow, disk harrow, two-horse corn-planter and check-rower, sulky cultivator, force-feed, grain-drill, hay-loader and ricker, self-binder, corn-harvester, etc. —that he must use in his farming; for the clothing, ready-made, that he wears himself, and the cloth for his wife's gown; and for practically all the furniture in his house. He no longer hauls the grains and meats to the ultimate market, but now depends upon other men to kill and dress the animals, haul them and the grains and fruits and other products of the farm to the ultimate market, and there place them in the hands of the consumer. In fact, the differentiation of industries, the development of a factory system, and all those rapid and radical changes that constitute the "industrial revolution," have so closely intertwined the interests of agriculture with other interests that the manufacturer, merchant, or railway man cannot be injured in his business without the farmer being injured in his business.

The influence above all other influences affecting the price of farm products is demand and supply.[1] Anything that lessens the disposition and ability of the merchant, manufacturer, mechanic, miner, or the professional man to buy, lowers the price of farm products. Any policy that banks furnace fires and silences the hum of spindles lowers the price of wheat, beef, butter, wool, and fruits. Anything that compels the manufacturer to lessen his output, or the

[1] The advent of the twine binder into the Dakotas, the discovery of the wheat-producing possibilities of the pampas of the Argentina, and British control of the Suez canal, are responsible for the decline in the price of wheat—a decline not coincident with the "demonetization" of 1873, but with the other events named, and keeping pace with the increase of their influence. Besides, other farm products have not declined with wheat or with silver,—corn, for example, was higher in 1890-91-92-93-94 than before the alleged demonetization of silver.

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railroad company to lay off trackmen and repairers, or the doctor, the lawyer, and the banker to reduce their household expenses, takes from the prosperity of the farmer. The farmer cannot be indifferent to the interests of other classes, any more than they can be indifferent to his interests. He cannot put into wider and continued operation forces that by their very approach unsettle values, alarm capital, make prudent men wait, and greatly injure the business of manufacture, transportation, and exchange, without dealing agriculture a hurt that before it is healed will overbalance any temporary gain that might accrue to a minority of farmers from their paying their debts in a depreciated currency.

The chief advocates of the free and unlimited coinage of silver at the ratio of 16 to 1 contend that silver and gold will remain at a parity. If this be true, then by no means will the free and unlimited coinage of silver make it easier for the farmer to pay his debts. For it will not make his land produce a bushel more of wheat or corn, or his steer or hog to manufacture more beef or pork from a pound of feed; it will in no wise increase the value of what he produces; and, if the silver dollar is as good as the gold dollar, it will not increase the price of what he produces. His products will not bring more dollars, and he will not find his debts easier to discharge. On the contrary, his load of debt will be heavier; for, on account of the lessened demand due to the dislocation of other industries, the price of his products will be seriously lowered. The burden of the farmer in debt will be increased; the conditions for the majority of farmers, out of debt, will be made harder. It may be that the most prominent and vociferous advocates of the free and unlimited coinage of silver at 16 to 1 are mistaken and that gold and silver coin will not remain at a parity. If such should be the case then the farmer who is in debt could pay his creditor in depreciated dollars, and he would find it easier to pay the debt, if other influences were not active. But other influences would be active; much of the tendency toward a rise in prices—due to a depreciated currency—would be counteracted by the depression in all industries and the lessened demand; and this depression would continue for several years, affecting the price of several years' products, while the cheaper dollar could affect the debt but once.

In short, it cannot be shown that the coinage of silver demanded in the Chicago platform will benefit any one except the hoarder of gold, the silver-mine owner, or the moneyed speculator. Whether the free and unlimited coinage of silver at the ratio of 16 to 1 gives us a dollar

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as good as the one we now have, or a cheap dollar, the laboring man, the school teacher, the clerk, the merchant, the manufacturer, the miner, the railroad employee, the farm laborer, and the farmer out of debt will be injured; and if the dollar be cheapened, as it must be before any benefit can accrue to the small minority of our population, the debtors whose debts may be paid with cheap dollars, and all those carrying life-insurance or having savings in building- and loan-associations or in savings-banks, will also be injured. For the people of this country to heed the silver-coinage demand of the Chicago platform would be as intelligible as if a man were to demolish one side of his dwelling to make yet more dry, warm, and luxurious the dwelling of some rich man, and to stop a broken pane in his own. Moreover, the destruction of the side of the dwelling would be certain and complete, while stopping the broken pane would be uncertain and incomplete.

The farmer will not do that. True, the abuse and ridicule of certain "goldite" periodicals have sorely tempted him, as it would have sorely tempted any other man, to vote for free silver; and the advocates of free silver have been quietly, persistently, and adroitly working among the farmers for more than two years. But the quiet, grave man that passes back and forth along the furrows may be depended upon to think it out, uninfluenced by the passions that sway city masses, and to vote in November as he has always voted heretofore,—for "the greatest good of the greatest number."[1] He does not believe in gold alone for money; he desires the largest coinage of silver consistent with good faith and good business; and he believes that it is possible for an earnest and honest effort to effect an international agreement that will make an increase in the volume of our silver money an aid to prosperity and not a menace to business and enterprise; and he is decidedly opposed to "the free and unlimited coinage of both silver and gold at the present legal ratio of 16 to 1, without waiting for the aid or consent of any other nation."

JOHN M. STAHL.

[1] An analysis of election statistics shows that the city, and not the country, has furnished the majorities for debased currency, just as the city, and not the country, has furnished the Populist vote. This is contrary to popular belief, but is none the less true. The farmer vote has always been the bulwark of sound finance.

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THE CREED OF THE SULTAN: ITS FUTURE.

THE Eastern Question, before which the Powers of Europe stand in hopeless perplexity, is at bottom a religious question. Whatever political jealousies may enter into it, these would vanish, if the established religion of the Turkish Empire were Christianity, and not Islâm. The question, reduced to its simplest terms, is,—What is to be done with Islâm?

All history shows us that there are no complications like those due to religion, which, not being founded on reason, but rather on feeling and passion, usually decides its differences by the weapons of the latter, rather than by those of the former. While, therefore, we cannot look forward to any near or peaceable solution of the Eastern Question, it does, nevertheless, seem as if its difficulties were increased by the widely prevailing ignorance with regard to the origin, growth, spirit, and theological affinities of Islâm—an ignorance due, in part, to that habitual frivolity which makes the mass of mankind disregard or despise what is foreign to them, but also, in part, to the character of those popular works upon which the public generally has to depend for information,—such as Carlyle's unintelligent and bombastic rhapsody about the "wild Son of the Desert" in his lectures on Heroes, or Syed Ameer Ali's recent "Life and Teachings of Mohammed," a book of which the best that can be said is, that it imitates to perfection the tactics of the ordinary type of Christian apologists. Under these circumstances, it does not seem untimely to attempt a statement, in the most concise form consistent with clearness, of the simple truth with regard to Islâm, and on this truth to base a few suggestions with regard to its future treatment at the hands of Christendom.

In the year A.D. 600, Nicene Christianity, with its dualistic distinction between the natural and supernatural worlds, its revolt against reason, its acceptance of superhuman authority, and its implicit hostility to science and art, was completely dominating what had once been the Roman Empire. A little group of Messianic notions, wrought out by a small, obscure people galled by foreign despotism as an expression of its hopes of restoration to freedom and earthly supremacy, had,

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partly through the influence of a great ethical reformer, and partly through transformation into the universalizing forms of dualistic Greek thought, become an elaborate theory of the restoration of all mankind —conceived as fallen from a primitive state of paradisiac innocence and of intimacy with God—to divine favor and eternal blessedness in a celestial kingdom. Naturally enough, this theory found wide acceptance in a world in which Rome, following Macedonia, had broken up that political solidarity which gave to ancient life its worth and its joy, leaving men with the feeling that they were aliens on the earth. No wonder that they then looked upon themselves as fallen—for fallen is everything that lapses out of those relations which give its life a meaning—or that they sought to rise, by constructing in heaven that solidarity which seemed denied them on earth. Indeed, the Roman Empire, in its endeavor to universalize civic relations under its own unsympathetic, dictatorial forms, had crushed out the civic instinct altogether, and fostered the conditions which called into existence a society setting light by all earthly civic relations and maintaining its citizenship to be in heaven (Philipp., iii., 20). When it discovered its mistake, and saw that the new supermundane solidarity threatened its very existence, it foolishly thought to save itself by absorbing its rival, —thus attempting to fuse two ideals of life literally as wide apart as heaven and earth. But all in vain! Civicism, for having taken a contradiction to its bosom, crumbled only the faster, carrying with it all interest in the arts and sciences that give dignity to civic life; while ecclesiasticism, with its squalid monasticism, its soul-emaciating asceticism, and its hopeless brooding and wrangling over the contradictions —styled mysteries—of irrational creeds, rose, grimly triumphant, on its ruins.

If, at the time named, this process had reached completion in the Roman Empire, things were somewhat different beyond its limits, in Syria and the adjacent regions. Here, too, indeed, supernaturalism had, in the main, won the day, but yet not so solidly, or with such world-despising results, as in the other case. To this difference three circumstances mainly contributed. First, that pitiless, numbing uniformity of dogma, which political exigencies had imposed upon Christianity in the West, did not greatly affect it in the East. Here flourished, side by side, all those sects or heresies which Nicenism was meant to crush—Pharisaic Judaism and Persian Mazdeism (the two primitive forms of Messianism), Sabianism or Baptistism, Essenism, Ebionitism or Primitive Christianity, Manicheism, Origenism, Arianism, Nestorianism, Antio-

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chianism, etc.,—keeping alive a kind of intellectual activity. Second, Greek philosophy,—chiefly Porphyrian Neo-Platonism, with its profound mysticism, and Nestorian and Antiochene Aristotelianism, with its subtle, generous thought and its cosmic speculations—when driven by jealous ecclesiasticism from the empire, had found a refuge here, and established schools of learning and mystic piety. Third, here flourished also the great schools of Hebrew Talmudism, whose labors have gone far to sustain and shape the life of Judaism ever since. Thus, while the West had sunk into the arms of a paralyzing supernaturalism, which banished enlightenment, deranged society, and left the empire an easy prey to the vigorous manhood of the hordes of Germany, a few precious remnants of ancient human culture still survived in the lands between the Tigris and the Jordan.

In this same year, A.D. 600, there was travelling in these lands, for business purposes, an unlettered pagan from beyond the central desert of Arabia, a man whom the after-world came to know as Mohammed. Being of a sensitive, excitable, and rather timid temperament, and having other interests besides those of business, this man took advantage of the opportunities offered him by his journeys of engaging in serious conversation with men of different faiths,—pagans, Jews, Magians, and Christians. Seeing that by these faiths they were unbrothered, and turned, for the most part, either into half-savages, living by the sword, or into equally inhuman ascetics, regarding mundane life with contempt and living it accordingly, he was naturally led to ask himself, whether, amid all the cruel differences of these various religions, there was not some one thing, at least, in which they all agreed, and which might be made the basis of a religion capable of uniting the professors of them all in one peaceful society, devoted to the arts of civilized life. On reflection, he found there was just one such thing, the belief in one all-powerful God—a belief held in greatest purity by the Jews, but in some form by all, even by his pagan compatriots. This, then, he concluded, is the one essential thing in religion; all else is indifferent or hurtful. Submission (*Islâm*) to one omnipotent God—absolute, unquestioning submission—is the one thing needful. His next reflection naturally took the form of a question,—How can a belief in this one God, in Allah (*i.e.*, *the* God), to the exclusion of all other gods, be made universal and effective? For years this question haunted him night and day, sometimes, like a fiend, driving him out into desert places, until, at last, it became a "fixed idea," completely dominating him. And here his Arab, Semitic nature, no less than his

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individual temperament, played a part not easy for men of modern culture to understand.

Of that peculiarly Âryan objective, logical, constructive faculty, which goes to make great philosophers, great epic and dramatic poets, and great statesmen, the Semite has little. He is essentially subjective, spasmodic, and lyric, so little aware of the unity of his intellectual processes as often to take what comes into his mind, in moments of deep emotion, for external inspiration, divine or diabolic. Nor is this unnatural; for the only mark whereby we know that our thoughts originate with ourselves is, that they form a conscious unity, with manifold recognizable interrelations. In the absence of this, we can tell nothing about the origin of our thoughts, except by inference from their moral content. When the subjective lyricism of the Semite is roused by patriotic or ethical emotions, it becomes what we call prophecy. Though we habitually speak of this as if it were a purely Hebrew phenomenon, we do so only because the productions of the Hebrew prophetic spirit alone have come down to us in written records, the truth being that prophetism is the form which patriotic and ethical lyricism naturally assumes among all the Semitic peoples. That prophets of Baal were numerous among the Canaanites, we know from the oldest records in the Hebrew scriptures; that there were prophets of Chemosh among the Moabites, is clear from the still older Moabite stone. And so with other peoples.

Knowing this peculiarity of the Semitic mind, we need not wonder that, when Mohammed, with his nervous temperament, was dogged to frenzy by his ever-present problem, and could see no other hope of solution than his own intense earnestness, he should have expressed this by saying: "I am the prophet of Allah. This turmoil of spirit from which I have suffered so long is the lash of God, rousing me to champion his cause, and put an end to polytheism, idolatry, and all their consequent evils." He did so express it, and the creed of Islâm was complete: *There is no god but God, and Mohammed is the Apostle of God.* Having reached this conviction, which he did in 611, at the age of forty, and after some strange psychic experiences, he found peace. His mission was clear; and no man ever pursued a mission with more earnestness, consistency, and exertion than Mohammed did his. For eleven long years, amid contempt, persecution, and danger of every sort, he called upon all classes of the people in Mecca, the chief centre of Arab polytheism, to abandon their idols and submit themselves to the one God, the omnipotent, the maker of heaven and earth, whose

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spokesman he was. This was the whole of his message, then and always. Whatever more he had to say afterward was said in order to secure the acceptance of this. Nor did he pretend to preach anything new. On the contrary, he was merely proclaiming the true God who had spoken through all the prophets since the world began—through Adam, Noah, Abraham, Jesus, and the rest, but whose revelation had been perverted alike by pagan, Jew, and Christian. He was restoring the religion of Abraham, who built the Kaaba,[1] now so vilely desecrated by the presence of three hundred and sixty-five idols. And this was true; for Islâm is merely the principle of Judaism carried to its logical conclusion, plus primitive Christianity untouched by Hellenism. When he found his people unwilling to listen to him, and determined to cling to their idols, which brought them much lucre, he tried, like most other prophets, to convert them by intimidation. First, he announced revelations threatening all unbelievers with the grim terrors of a hell painted in Christian colors, at the same time describing the paradise of believers in gross material terms, calculated to allure a sensuous people. This proving ineffectual, he told, as revelations, Hebrew and other stories about the destruction of peoples who had disobeyed God's prophets, warning the Meccans that a similar fate awaited them, if they rejected his own message. Most of the dreary parts of the Koran are made up of these stories. Lastly, when the majority of the people only jeered at him and his "old-wives' tales," he informed them, also as a revelation, that God had hardened their hearts, in order that he might consign them to eternal damnation; that a "flaming hell" was their certain portion. Here we see the origin of nearly all that is worst in Islâm, its utterly unethical motives for conduct, its sensuality, its blank fatalism. The occasion for conversion by the sword had not yet arisen.

But, with all his revelations, tales, promises, and threats, Mohammed, during the eleven years of his mission in Mecca, made but little progress among his materially-minded, commercial countrymen; so little that, at the end of that time, he was glad to escape from them, and, with a small band of faithful followers, including some distinguished men, to betake himself to Yathrib, two hundred miles to the northward,

[1] According to the eminent Semitic scholar Dozy ("De Israeliten te Mekka") there was some ground for this belief. Mecca and the Kaaba, he thinks, were founded by the tribe of Simeon, which disappears from Jewish history in the time of David (*Cf.* 1 Chron. iv. 24–43); while *Abraham*, Arabic *Ibrahim*, is a mere corruption for *Ibrim* or *Ibriyim*, *i.e.*, Hebrews. The legend would thus mean that the Kaaba was built by Hebrews, which is not unlikely.

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where he had been promised support. This escape, called the *Hijrah*, marks the beginning of the Muslim era (16 July, A.D. 622).

At Yathrib, later called Medinat an-Naby (the City of the Prophet), or simply Medina, Mohammed found himself in entirely new circumstances. If in Mecca he had been a preacher, here he was called upon to be a practical organizer of men, to set on foot that very process of unification under one God which had been the subject of all his dreams and the aim of all his efforts. He was now placed in an office of infinite responsibility. It is a common saying that the Semite, however good he may be in private life, becomes reckless so soon as he is intrusted with power. And Mohammed was no exception. Up to this time, he seems to have borne an exemplary character, being noted, in accordance with the standard of his people, for fidelity, kindliness, and continence. But, like most men of lyric temperament, he lacked that clear intelligence which enables its possessors to find the true rule of conduct in circumstances for which current standards offer no guidance. Such circumstances having arisen, he found himself unable to deal with them on a moral basis. Indeed, it is very unlikely that he would have been able to cope with them at all, had he not been aided by faithful adherents of firm character and practical ability. As it was, his success in crushing the Jewish communities in Yathrib, in defeating his assailants, and in bringing the Arab tribes under the banner of his religion was well calculated to convince him that he was not only the prophet of God, but also the chief captain of His hosts. Thanks to his fatalistic notions, this meant to him that he was a mere passive instrument in the hands of an irresponsible God, that what he did was God's doing. We need hardly wonder that, thus blinded by the reaction of his own earlier teaching, he was gradually transformed into a tyrant, who regarded everything that suggested itself to his fevered imagination as permitted to him, in the direction both of cruelty and of lust. It was now that he promulgated revelations commanding severe treatment of unbelievers and conversion by the sword, and others permitting him to indulge in almost boundless sensuality. Thus, freed from moral restrictions, and acting with an unscrupulousness possible only for those who believe themselves backed by the Almighty, he acquired so much power that, in less than eight years after his flight, he was able to return victorious to Mecca, command the submission of its people, destroy the idols of the Kaaba, and set up the standard of Islâm. On this occasion his behavior was marked by singular clemency. He lived but three years after, during which

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his better self seems to have returned to him. Sensuality had lost its charm, and his ascendency over his people was secure. He died quietly on June 8, 632, leaving to his followers his work to continue and his prophecies to arrange.

The life-work of Mohammed may be summed up in a few words. Seeing his nation condemned to unworthy barbarism by civil dissensions, mainly due to differences of crude superstition, he set out to put an end to this, in the only way that seemed possible to him, by trying to make religion a reality in the form of abject, trembling submission to one irresponsible God of infinite power. At first a prophet, in the strictest sense of that term, he was forced by circumstances to become a ruler of men and a leader of armies, in which capacity he acted with the vengeful indivertibility of the true Arab, performing many acts, and promulgating, as revelations, many regulations, that betray the half-barbarian. He was resolved to succeed at all hazards, and he did succeed. In his earlier, Meccan, period, his prophecies are marked by real lyric inspiration and brilliant rhetoric, such as comes only from genuine emotion. They are usually short, elaborately rhymed, and often very beautiful. As his simple enthusiasm vanishes in the midst of practical difficulties, his style becomes prosaic, and at last almost intolerably tedious. He still claims inspiration; but there is no inspiration there. In substituting God for himself, he has ended in substituting himself for God. He resembles no man known to history so much as David, whether in his abject religiosity, his fixed ambition, his ruthless dealing with enemies, or his unblushing sensuality. Indeed, it is not unlikely that he took this "man according to God's own heart," the reputed author of the Psalms, as his model. (See Koran, Sur. xvii. 57; xxxviii. 16, etc.) If so, he certainly surpassed him.

We must not expect to find in Islâm an ethical system suited to the demands of the present day. In this respect, all that can be claimed for it is, that it was, in many respects, a distinct improvement upon what went before. It put an end to many abuses, and introduced gentleness into many relations. It checked the very common practice of burying female children alive; it effectually proscribed drunkenness; it lightened the yoke of slavery; it enjoined kindliness to women and gave many laws in their favor; it made religion a stern reality, and so on. But its chief merit, and it was an incalculable one, lay in this: that it roused the world, both East and West, out of the spiritual lethargy into which it was sinking in the arms of supernaturalism. Despite its utter submission to God and its cruel fatalism, Islâm is, above all, a plea for

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simple, natural humanity, as against brutality, supernaturalism, and asceticism. It absolutely forbids monasticism and tries to deal gently with human nature. Its God does not demand much of men, besides belief in himself and his prophet,—only prayer, fasting, almsgiving, and a pilgrimage to Mecca. He is otherwise extremely indulgent and forgiving, leaving them to do pretty much as they please. It is often said that Islâm owed its sudden diffusion to the sword; but this does not explain how it came that there were suddenly so many swords ready to diffuse it. The truth is, its diffusion was, at bottom, due to its own inherent character, to the fact that it offered to men alienated from themselves and from life,—on the one hand by strife, on the other by asceticism,—a means of restoration, a doctrine which made this world seem worth inhabiting, this life worth living. Modern humanism, with its kindliness and its culture, owes its first impulse to the unlettered prophet, Mohammed. No better proof of this is needed than the undeniable fact that, for five centuries, wherever Islâm carried its conquests, the dead sea of barbarism and of squalid ignorance, calling itself religion, was broken up, and culture, art, science, and philosophy followed in its path.

The authentic history of its progress reads like a tale from the "Arabian Nights." In the long-tormented lands of ancient empire, in Babylonia and Egypt, it established, within a century and a half of its rise, schools of science, philosophy, and art, such as the world had not seen since the palmy days of Athens and Alexandria, nay, in some senses, had never seen. Greek thought, especially that of Aristotle and the Neo-Platonists, which had found, so it seemed, a last refuge in the schools and monasteries of Syria, was drawn from its hiding-places, and cultivated with an earnestness and a subtlety that still command our highest admiration. There is hardly a question known to mediæval scholasticism, or even to modern thought, that was not earnestly discussed on the banks of the Tigris in the ninth, tenth, and eleventh centuries. Alkindî († 850), Alfârâbî († 950), and Ibn Sinâ († 1037) were men of encyclopædic knowledge and profound thought. The "Kanûn" of the last was the great authority in medicine, even in Christian Europe, through the entire Middle Age. The "Cyclopædia," of the "Brothers of Sincerity," compiled about A.D. 1000, is a digest of universal science, forestalling many modern theories,[1] and

[1] See Prof. Dieterici's "Der Darwinismus im zehnten und neunzehnten Jahrhundert," Leipzig, 1878. Dieterici has made the entire "Cyclopædia" accessible to scholars, and shown its relations to ancient and modern thought. See his "Die Philosophie der Araber," 1876-9.

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finding no companion for the next eight hundred years—till the days of the French encyclopædists. Music and poetry, geometry and astronomy were eagerly cultivated; the "Arabic" numeral system was perfected; algebra, whose name betrays its origin, was invented. Bagdad, for hundreds of years, was the seat of a skilled industry, and the centre of a commerce, such as had never before existed. In fact, in the tenth and eleventh centuries, while Europe was steeped in darkness, Islâm was living in the glare of a brilliant civilization. It seemed as if it might allow itself to be rationalized, and so become the Light of the World. But it was just then, when it was called upon for the highest tasks, that its fundamental weaknesses became manifest—its debasing sensuality and its paralyzing fatalism. While its leading men were indulging in the grossest and most expensive luxury and voluptuousness, its fanatics were stirring up odium against reason and freedom, in the name of a revelation, whose record (the Koran) they declared to be uncreated, infallible, and all-embracing; in fact the Eternal Word, or Logos (Kalâm) of God. This latter movement found its definitive expression in the writings of Algazzâlî († 1111), who, by championing rigid orthodoxy, declaiming against philosophy, and yet trying to mediate between them, promoted that disingenuous type of thought and expression which led to the swinish mysticism[1] now reigning in Persia, and made its author the only acknowledged philosopher of Islâm, as he is to-day.

After its revolt against reason and freedom, Eastern Islâm, under the weight of sensuality and fanaticism, gradually sank into a brutal lethargy, worse than that of Europe, its civilizing power utterly at an end. Then the science, art, and philosophy, which had been its glory, wandered out to the Far West, to seek a refuge in the Muslim cities of Spain. And, for the better part of a century, they found it, with results to culture, humanity, and toleration even more astonishing than those that had manifested themselves in the East. Industry, commerce, and the fine arts sprang up as if by magic. Philosophy, that is, Aristotelianism, with an ever slighter admixture of Neo-Platonism, found worthy expression in Ibn Bâja († 1138), Ibn Tufail († 1185), and Ibn Rushd (Averroës, † 1198), the last being perhaps the most enlightened man of all the Middle Age. Once more, Islâm seemed on the point of taking the lead in civilization. But once more the old

[1] For a classical expression of this mysticism, see the "Rubáiyát" of Omar Khayyâm. On the whole subject, see Gobineau, "Les Religions et les Philosophies dans l'Asie Centrale," Chap. IV.

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weaknesses paralyzed it. Ibn Rushd, after a long life of public service and manifold literary activity, was deprived of his honors and sent into exile. After his death, in 1198, free thought never again openly lifted its head within the borders of Islâm, and, from that day to this, the Muslim lands have been sinking into that condition of weakness, sensuality, and fanatical brutality in which they now are. In some of them "philosopher" is a term of abuse. Such has been the sad fate of "Islâm," thus far.

But we should be greatly mistaken, if we were to suppose that its own fate marked the limits of its influence. Far from it! It was this influence that woke Judaism out of its inert, Talmudic formalism, set afoot that reflective movement which gave the world such men as Saadya († 942), Ibn Gabirol († 1058), Maimonides (1165–1204), and Spinoza, and made the Jews the chief literary purveyors of the Middle Ages.[1] It was the same influence that, in the twelfth and following centuries, roused Christian Europe from its deadly, ascetic supernaturalism, which Pope Hildebrand and his successors, with the best of intentions, had labored to make eternal, and that forced it, in order to define itself, as against the new faith, to attempt a scientific theology, which again was the beginning, and, in time, furnished the methods, of modern science. It was Islâm that, by the introduction of Aristotelianism, gave rise to the great scholastic movement, opened up the world of ancient thought, and, indirectly, restored man to his civic consciousness,—the condition of genuine liberty. It was Islâm that gave the first impulse to modern science, and, chiefly through Ibn Rushd[2] (long credited with having spoken of Moses, Jesus, and Mohammed as "the three impostors"), to modern rationalism. It was Islâm that furnished both form and content to much that is distinctive in modern literature —the prose story, the love romance, the rhymed lyric. The modern world is modern chiefly on account of Islâm. It saved others: itself it could not save: so at least it seems now.

Seeing, then, what Islâm is, what it has done for the world, and what it has failed to do, we may now ask, What is to be done with it, or for it? Must we conclude, from the horrors periodically perpetrated by it, that it is hopelessly sunk in cruelty and lust, and must either be crushed or Christianized? Or, remembering the horrors perpetrated by Christianity, even on Christians, less than three hundred years ago,

[1] See Steinschneider, "Die hebræischen Uebersetzungen des Mittelalters u. die Juden als Dolmetscher," 2 vols., Berlin, 1893,—the most learned of books.

[2] See Renan, "Averroès et l'Averroïsme," Paris, 1893.

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shall we trust that it may be reformed, and do our best to reform it? The answer is easy. Neither of the first two alternatives is possible; the third is. Islâm cannot be crushed, and it cannot be Christianized. Its adherents number more than a hundred millions, and are rapidly increasing. Its unquestioning faith puts other religions to shame. If the possibility of its reform be doubted, on the ground that it contains essential elements that are irreformable—sensuality, contempt for women, fatalism, immoral motives for conduct, a spirit of persecution—the answer is, that these are no more essential to it than many of them are to Christianity, which, moreover, has others equally bad. Islâm is no more the Koran than Christianity is the New Testament. All religions live and prosper by growing away from the narrow and supernatural notions of their founders, in the direction of simple rationality. If Islâm permits sexual freedom, it absolutely forbids drunkenness. In spite of its view of women, it founded chivalry. It shares its fatalism, which Mohammed did not consistently teach, with both Judaism and Christianity, as properly understood; for creative omnipotence is but another name for fatalism. As to its motives for conduct, these are no more and no less immoral than those of any system, religious or ethical, that promises a reward for virtue other than virtue itself, or a punishment for vice other than the being vicious. Heaven and hell are eternally immoral institutions. Lastly, as to the spirit of persecution, surely Christianity cannot cast a stone at Islâm for that.

It follows, I think, that there is no more reason for despairing of the reformation of Islâm now than there was for despairing of that of Christianity in the days of Luther and Knox, or of its further, sadly needed, reformation to-day. Only, we must bear in mind that no reformation can come to Islâm through any attempt to impose upon it the supernatural dogmas of Christianity, or anything Christian, as distinct from human. Any such attempt can only provoke resistance and hatred. Islâm has sunk, not because its Bible is the Koran, and its Paternoster the Fâtiḥah, but because it has rejected philosophy and science, and sought truth by commenting on the Koran. What it needs, what it may well demand, in return for its ancient services to us, is rational enlightenment,—instruction in the principles of civilized life—not dogma to replace dogma. For this it is, in some degree, ready now, and will become more so as its demands are met. Our duty is plain. As Islâm once rescued us from the blight of Christian supernaturalism and spiritual slavery, so ought we now, in gratitude, to rescue it from the Muslim curse of sensuality, fatalism, and

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ignorance, by making it acquainted with the great thinkers of its own past, and the best thought of the present. Religion and civilization are larger than either Christianity or Islâm.

Our proper attitude to the creed of the Sultan being thus clear, there still remains the burning question, How shall we deal with the Sultan himself, who, with brutal intolerance and ever-repeated, cruel massacres, prevents us from assuming that attitude toward his people? For any one who comprehends the spirit of modern Islâm, and its unreasoning fanaticism, there can be but one answer to this question. The Sultan must be dethroned, and all political power taken out of the hands of the Muslim, until such time as they have escaped from fanaticism, and learned the lesson of toleration. That ought to be, with all civilized nations, a settled conclusion; so that they shall form an Association for the Prevention of Cruelty and Murder to non-Muslim. The orthodox Muslim of the present day, educated as they are, cannot, conscientiously, be tolerant, and they only smile contemptuously at those whom their false asseverations wheedle into believing that they can. The nations that permit the Sultan to continue his massacres are more guilty than he is. There is no solution of the Eastern Question, until the civilized peoples rouse themselves from their cowardly sloth, and put an end to the last remnant of Muslim rule. Then, and only then, will modern civilization begin to prevail in Muslim lands.

THOMAS DAVIDSON.

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KING OSCAR OF SWEDEN AND NORWAY.

KING Oscar II, the fourth monarch of the Bernadotte dynasty to wear the twin crowns of the United Kingdoms of Sweden and Norway, has already reigned for a longer number of years and reached a more advanced age than most of his predecessors in historic times. He was born in Stockholm January 21, 1829, the third son of the Crown Prince Oscar (afterward King Oscar I, 1844–59) and Josephine of Leuchtenberg, daughter of Eugène Beauharnais, Napoleon's stepson. He is accordingly in his sixty-eighth year and is, after the English Queen and the King of Denmark, the oldest living representative of European royalty. He succeeded to the throne September 18, 1872, assuming the royal duties in full maturity, at an age which the renowned hero-kings of old—Gustavus Adolphus, Charles Gustavus, and Charles XII—never reached at all.

Indeed, Swedish history shows but few longer reigns than the present King Oscar's. No Swedish king since the Reformation, except his own grandfather Charles XIV (Bernadotte) and Frederick I (1720–51), was older at his death than the present ruler of the United Kingdoms is at this moment; nevertheless, there are as yet no signs of failing activity, either physical or mental, judging from his personal pursuits or public appearances. Gustavus Vasa himself, the founder of the modern Swedish monarchy, though he figures as a patriarch traditionally in history, was not probably (the date of his birth is not accurately known) more than sixty-five years of age at his death in 1560. But public men three hundred years ago seem as a rule to have expended their vital forces at an earlier time of life than they do in our own century, notwithstanding the many complaints of nervous pressure and worry at the present day. King Oscar is, in this respect, the worthy contemporary of the first German Emperor, of Gladstone and Bismarck, and of so many other indefatigable statesmen who at very advanced years have played conspicuous parts on the political stage in recent times.

Even Norway as an individual kingdom, before its union with Sweden and during that with Denmark, had no longer-lived possessor,

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with the exception of the gifted but ill-fated Christian IV, who was gathered to his fathers in 1648 at the ripe age of seventy-two. On the other hand, although none exceeded his sixty years' reign, all the Dano-Norwegian kings, Christians and Fredericks in alternation, all members of one and the same family and succeeding each other in almost undisturbed hereditary order, are remarkable for having enjoyed an unusually long duration of royal estate. In that regard, in bygone days of Scandinavian fraternal wars and struggles for supremacy, they were more fortunate than their politically more successful Swedish rivals who belonged to several dynasties, one replacing the other not unfrequently either by new elections or some revolutionary catastrophe.

But such troubles are reminiscences of the past. By this time, the stormy history of Swedish constitutional monarchy has long since settled down into a peaceful evolution of living traditions and fresh growing forces. This happier state of things dates from the last great crisis of 1809–10, which was ended by the calling in of Bernadotte as a sort of foreign *podestà* to arbitrate between the contending factions which had well-nigh ruined the country by their fierce hatreds, prolonged through generations, as was the case with the Ghibellines and the Guelphs of medieval Italy. Moreover the task imposed upon Bernadotte's heirs is none other,—if not at the risk of provoking immediately dangerous commotions, yet at any rate under the responsibility of furthering sound and unbroken progress without unnecessary complications. Party government is in Scandinavia, as elsewhere, the watchword of parliamentary doctrinaires and also to some extent an inevitable and wholesome element in political practice. But political parties in the North, however relatively modest their aspirations may at present be, are not so strongly disciplined, have no such supply of schooled and trusted leaders as would warrant the countries in allowing them to undertake the sole management of public business. They stand beyond doubt in need of such controlling powers as may be afforded not only by regularly recurring elections, but also by the more constantly exercised arbitration of the King. Especially in Norway, where home politics are considerably more turbulent than in Sweden, that control cannot safely be dispensed with. And the Union itself which, on the whole, is only a framework for safeguarding the common independence and the external representation of the two kingdoms, presupposes an untiring watchfulness regarding the symptoms of threatening constitutional displacement, and a particularly delicate and impartial mediation between conflicting pretensions and jealous susceptibilities.

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Political problems of this kind are not properly fit to be dealt with by impetuous youth. They demand, besides great natural gifts and honest intentions, a many-sided and matured cultivation of the intellect, a thorough acquaintance with the essential details of the situation and with the means at hand for mastering its difficulties, and a practically acquired knowledge of differing tempers of men and of masses. Moreover, even with the best preparation, no large and enduring results are to be reckoned upon without a long and varied experience of success and reverse, of calculations which have come to pass or failed, of mistakes that must be repaired and avoided for the future, of rightly measured or misjudged opponents, of justified or misplaced trust in collaborators. In free countries the function of a really governing monarch is fully compatible with unfettered political movements among the people and with the frankest expressions of critical dissent; yet to encounter them with equanimity and to make use of them to the profit of his own purposes implies in the monarch a character at once lofty and highly wrought. But such a disposition, which may be regarded as one of the surest guarantees for final success, is usually the late-grown fruit of a superior mind which has learned by many trials to value human things by the light of unselfish ideals and the suggestions of cool, clear thought. For a modern sovereign, if he lives to complete his measure of years, there is a better chance of attaining a truly elevated position in the eyes of sincere history under the burdensome conditions of constitutional limitations than under the simpler forms of acknowledged or disguised absolute rule.

It is admitted by all that King Oscar has used to the utmost of his capacities the opportunities which were offered him of obtaining an uncommonly high degree of intellectual and artistic culture. He is an accomplished orator. His strong, sonorous, musically-trained voice sends every word he utters penetrating into the farthest recesses of spacious assembly halls and is also heard at a great distance in the open air. His speeches, several volumes of which have been published, have been declaimed on the most varied occasions: from the throne to the representatives of the people, at great national and local solemnities, in academies and other public societies, at royal or private banquets. They are distinguished by a lofty diction, by many happy turns of phrase, profound thoughts, and solid insight into the subject he is treating of. He speaks both the Swedish and the Norwegian languages equally fluently, a so much the more difficult feat as they are properly speaking but two dialects of the same tongue, exceedingly

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wont to be confused in conversation. He expresses himself with almost the same facility in French, German, English, and Italian, and is not devoid of some notions of Russian and Spanish. By wide travels from his youth upward—he was educated as a naval officer—within and beyond the bounds of Europe he has trained his linguistic talents and acquired a discerning understanding of historical antiquities and the requirements of modern life. His reading embraces the literatures to a large extent of all the languages that he speaks. He is very well versed too in Latin classical literature.

Notwithstanding all these cosmopolitan attainments he is at heart a true Scandinavian patriot in the fullest sense of the word. The Bernadotte dynasty in its later generations has shown itself as completely assimilated to the native sentiments and customs as any other family of foreign origin in Scandinavia. But the position and sphere of twofold royalty,—raised as it is above the petty rivalries of common life and the ineradicable memories of the past,—direct, of course, its sympathies to all the many things that bind the two nations together rather than to what is calculated to disturb the mutual harmony. No great wonder then, if extreme nationalists on either side are not always entirely satisfied with the attitude of the King on some critical questions, though he does everything in his power to keep a fair balance even in outward ceremonials and the etiquette of official documents.

King Oscar is a poet too, though most of his poems, including lyrical and dramatic, original pieces and translations, were written in the earlier years before his accession to the throne. To a cycle of historical romances and ballads, entitled "Episodes from the Annals of the Swedish Navy," a prize was awarded by the Swedish Academy forty years ago, when he, following the example of one of his predecessors, Gustavus III, the founder of the Academy, sent it in anonymously to that illustrious literary Areopagus. That he has not enrolled himself in the poetic guild on the western side of the peninsula also, may be explained by the fact that the revival of Norwegian literature is of recent date. The classical days of Swedish poetry fell at a time when the generation to which the King belongs was at the proper age for receiving their first enthusiastic inspirations. The splendid literary glory of Norway on the contrary coincides with his maturer years and may be said to be one of the ornaments of his own reign. The Norwegian representative men of genius are his own contemporaries, though most of them are younger than he; and he has not been tempted to enter into any emulation with them, chiefly, perhaps,

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because his own poetical taste and style were originally trained in a different and, it may be, a more sedate and refined school.

Of several branches of scientific and technical study he has acquired a very respectable knowledge. In military, and particularly naval, matters the experts pronounce him to be a match for any one among his generals or admirals. He is well up in Swedish and universal history, and he has published some essays and even editions of documents which bear witness not only of the interest he takes in the past fortunes of his country, but also of the capacity he possesses for original research. Nobody therefore can say that he did not merit to the full the exceptional distinction which he shares with no other royal person in Sweden, living or dead,—the distinction conferred upon him by the University of Lund in promoting him, Duke of East-Gothia, as he was then, to the degree of Doctor of Philosophy at their second centenary in the year 1868. With able and intelligent interest he follows the advances made by modern science and learning both at home and abroad. He has shown munificent and noble hospitality to the international congresses that have been held from time to time in his capitals in the furtherance of knowledge. He proves a liberal and discerning patron, out of his private purse, when pecuniary encouragement is needed for recondite research or costly expeditions. Prize funds at the home universities and for international competition have been established by his endowments. Nordenskiöld's voyage in the "Vega," when he found the long-sought-after North-Eastern Arctic passage, was equipped to a large extent by the King. At this moment he is supporting with considerable grants of money not only the adventurous voyage of Nansen and the daring balloon enterprise of M. Andrée in search of the North Pole, but also the travels of M. Hedin in some of the remote and unexplored regions of Central Asia.

The Scandinavians then may justly take pride in claiming to possess the best-instructed monarch in the Europe of to-day, a man who, even if he had been born to a private station, would not presumably have failed to attract public attention and to achieve something remarkable in more pursuits of life than one. As it is, the King has seen the effect and impression of his personal gifts reinforced, to say the least of it, by the frank and unconstrained ways of intercourse that, in comparison with most other European countries, prevail between separate classes of his peoples. The kingship itself is in our days, as of old, regarded as a truly national institution that stands in no need of being protected against vulgar depreciation by retiring and

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formal stiffness in its bearers. The subjects, now as always from the Saga ages downward, like to see the King moving among them as a man among men, forfeiting no whit the respect due to his person and office, only saving fit reserve for rare state occasions where royal majesty ought to shine with some degree of pomp, especially in view of keeping up the dignity of the country in foreign eyes.

King Oscar has proved himself equal to all reasonable requirements in both of the above-mentioned respects. In receiving visiting royalty with dignified courtesy and at great court festivals he is acknowledged to be a master adept at ceremonious display, tempered with an artistic sense of judicial delicacy. But in every-day life the fetters of court etiquette are loosened, and the relations of the King with the persons daily around him bear the character of friendly intercourse. The King's audience rooms are open for several hours each week to men and women of all sorts and conditions, who are introduced into the royal presence merely after having entered their names in a book laid out for the purpose in the ante-chamber, without previous examination of their qualifications or business by any court functionaries. Besides these regular receptions the King is wont on many other occasions to converse privately with persons outside the official circles. He spends a considerable time every year travelling about by sea or by rail within his dominions. He is then accessible in an informal manner to large numbers of people. There is scarcely a town in the United Kingdoms which he has not visited once or oftener and where he does not know the leading men by sight. It would be quite impossible for him to make an assumed incognito really effective and so to conceal his whereabouts, because his fine face and figure would be immediately recognized, since they have been met with in almost every part of the two countries. He is almost daily to be seen walking about in ordinary gentleman's attire in the public promenades or in the streets, alone or accompanied by but one or two attendants. There is no reason why he should let his free movements be embarrassed by any futile precautions. Attempts on the leaders of the state are, it may be confidently asserted, not likely to be heard of in the North.

Like all public men in countries governed mainly by the influence of public opinion, the King has met with the ordinary fluctuations of popular acclamation and dissatisfaction. But his personal popularity has withstood the pertinacious and sometimes bitter attacks to which the policy of his government has of course been subjected by the opposition parties in the parliaments and the press. It has withstood too

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the injudicious, though well-meant, attempts that certain somewhat officious authorities have made now and then to employ some obsolete statutes of the law against the insignificant abuse that obscure and vulgar scribblers or stump orators may give vent to. In most cases such action has been nullified by the respective tribunals or juries, and no diminution of the royal prestige, as conceived in harmony with truly national ideas, has been felt to ensue upon such exercise of lenity, based upon contempt.

By reason of its origin and historical traditions, Scandinavian monarchy cannot be surrounded by such a mystic halo of semi-religious veneration as the Russian Czardom. Neither can it count upon the unreflecting dynastic loyalty which in Germany still unites the sentiments of large populations to their various princely houses, just as the tenants of an old manor are attached to the family of the lord. The reigning dynasty has not in Sweden and Norway, as in Prussia, built up the realm by pieces and through its own efforts. They were called in to undertake the management of an old and already constituted state, and therefore the monarch is regarded in the light of a hereditary chief-magistrate, to whom all law-abiding citizens owe allegiance and assistance, rather than as the liege lord of the soil. This idea partakes somewhat of the nature of a republican conception, but if it excludes perhaps some delicate tinge of fine old chivalrous loyalty, yet it may also be said to be a home-grown safeguard against the possible dangers of abstract republicanism. The names of republican forms are superfluous and provoke no very deep yearnings, where periodic elections with their agitations and compromises would not seem to afford any great probability of resulting in the discovery of a man more qualified to the highest place than is the actual outcome of legal inheritance and preparatory education. If every Northern king is obliged, as it were, in person to win his reputation and political influence by his own achievements within the frame of the constitution, without much assistance from any lingering family associations, that drawback to his position is compensated for by a certain disposition toward uprightness of the public mind. There is no inveterate grudge against allowing the political talent that the monarch may possess free scope for displaying itself in accordance with his legitimate prerogatives. And there is a readiness in the hearts of the subjects to acknowledge high merits and substantial services to the state displayed by their predestined ruler, a readiness, that may by discerning statesmanship be with no great difficulty called forth and made vocal.

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The King's family life is of course a matter of great concern to his subjects, especially to the ladies, and it is not the least of his claims to public respect that in every way the best of examples is set by the palace to the lowlier homes throughout the country. He married, in 1857, Sophia of the ancient house of Nassau, the sister of the present Grand-Duke of Luxemburg, and also nearly related to the Queen of Roumania and other members of high royal and princely families. He has had with her four sons, all now grown-up men and two of them married and fathers of children. The Crown Prince Gustavus (born in 1858) and the Crown Princess Victoria of Baden, granddaughter of the late Emperor Wilhelm I, have three sons, the eldest being about fourteen years old. The King's second son, Prince Oscar, has married a Swedish lady of good gentry family, Miss Ebba Munck of Fulkila. In consequence of that marriage, which according to the constitution deprived him and his heirs of all eventual rights to the crown, he re-assumed the family name of Bernadotte and took the legal status of a private citizen, though both his wife and himself are in all other respects on a footing of intimacy with the members of the royal house. He is a naval officer. His younger brothers, the Princes Charles and Eugène, are as yet unmarried and hold commissions in the army; the latter is an artist too of some proficiency. All the King's sons have, like himself, studied at the University. As children they received their education at a day-school in Stockholm, being at the same time under the charge of private tutors.

The King's blood relationships with the other reigning houses of Europe are of no slight importance for facilitating the diplomatic intercourse and preserving the good mutual understanding between the United Kingdoms and other powers, great and small. International politics are still to a large extent conducted according to the traditional forms of a transcendent society class, consisting of the crowned heads of the states with their kindred and personal servants. There is no likelihood that this time-honored masquerade with all its quaint splendor and ceremoniousness will soon, if ever, be a thing of the past, though the high-born actors may become less and less able to arrive at momentous decisions at their individual impulses and caprices, and will have to figure instead as the responsible organs of great national forces and interests. However, sound politics must work with existing factors, not with wishes and hopes. Even if mighty republics, such as the United States and France, can dispense with the support of monarchy in the conduct of their diplomacy, yet in states of lesser pretensions and

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more limited natural forces it must, under given circumstances, be regarded as a real element of additional strength to have at their disposal for their outward security a sovereign representative who possesses the undisputed right to treat on level terms with the proudest masters of innumerable battalions. It is true enough that such a right is not an infallible resource in itself. It must be used with prudent foresight and a cool head. But the labors of a patriot king in the field of foreign politics are only the more meritorious because of their being beset with undeniable and serious difficulties. They are, moreover, of such a nature that they cannot, in all their details, be subjected to formal investigation and constitutional control.

The main methods and aims of King Oscar's foreign policy are such as recommend themselves to all thinking men in Sweden and Norway. For Scandinavia all vainglorious dreams are out of the question. Of pretensions and aspirations beyond the frontiers there are absolutely none. No national hatred or longing for revenge on behalf of the leading classes or some other part of the population can endanger their peaceful relations to any one of their neighbors. Only the preservation of national independence and of the strictest neutrality in all conflicts between other powers appear to be purposes worthy of arousing the warlike instincts of the modern descendants of the Vikings. They are not without hope of a broader national life that may be in store for them in the future. But that hope is centred exclusively in the exploiting, in a more thorough manner, of their own natural resources by the help of new inventions and accumulated capital, in the bettering of the material and moral conditions of life for the masses, and in the invading of the vast unreclaimed tracts of their own territorial domains by fresh millions of a fast-growing and hardy race, the overplus of which has hitherto been obliged to look for new homes beyond the Atlantic.

In all this the King feels at one with his subjects. He directs all his endeavors to preserving amicable relations with all foreign governments and to convincing them of the complete sincerity of his peaceful intentions. This task has not always been quite easy. At the beginning of his reign the relations with Germany were somewhat strained in consequence of the sympathies shown by the Swedes and the Norwegians to their Danish cousins in 1864, and even to the French in the great war of 1870. But the King succeeded very soon in allaying all misapprehensions on the part of his powerful neighbors, and the good feelings toward each other of the two branches of the Teutonic

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race on either side of the Baltic were long since wholly reestablished. Of late years some frivolous party men and newsmongering journalists have occasionally insinuated that King Oscar, in opposition to the decided opinion of his peoples, favors a connection with the Triple Alliance. This slander, which is quite unfounded, is calculated in the present state of affairs to effect no small amount of mischief, if not abroad, at any rate in Scandinavian home politics. The King, therefore, in his last speech from the throne at the opening of the Norwegian Storthing in February this year, deemed it necessary to give the insinuation a downright denial, by declaring that the United Kingdoms "preserve complete liberty of action, without having given any promise of assistance to any foreign power." It is to be hoped that after this the hostile factions may cease to use a weapon that cannot be wielded in good faith. In the end it would turn against themselves, should they persist in misinterpreting the frank and cordial expressions of friendly sentiments as pledges of the King's having secret *ententes* and preferences. In fact, a prince of King Oscar's generous nature and wide culture is not prone to nourish any but the warmest feelings toward all the great civilized nations of the earth. He has not only given expression to his sympathy for monarchical Germany, allied to him by ties of blood, but also many a time to his kind thoughts of republican France, the ancient home of his fathers, and of the great American commonwealth, where so many of his Northern countrymen form living links between the Old World and the New.

Even a decidedly pacific policy, altogether without ambitious aims, must in war-plagued Europe be prepared for international complications which may arise out of threatening clouds abroad. The states which do not pretend to the risky honor of having a voice in the councils of the Great Powers are not exempted from the burdens common to all in this iron age. If it were a politically possible thing, the King of Sweden and Norway, no doubt, as well as the masses of his peoples, would gladly and wholly disarm and melt their cannons down into plowshares and steam-engines. But countries, not isolated from the troubled continent by ocean belts of some thousand miles, must make up for this disadvantage by prudently procuring the needful bulwarks of modern warcraft. A guaranteed neutralization of Scandinavia, as of Switzerland and Belgium, is only a dream of fanciful idealists. The Great Powers do not seem to be inclined toward enlarging in this manner the responsibilities which already weigh so heavily upon their own populations to whom a proposal of such a

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kind would probably look very like a pretext for throwing burdens upon the wrong shoulders. There remains for the Northern countries but the resolution to resignedly make the best of an awkward situation, trying to reserve by help of independent strength and internal concord for at least that corner of old Europe the hope of escaping entanglement in the awful consequences of high politics. The armaments of the United Kingdoms are planned and executed on a very modest scale indeed. But as they are directed against nobody in particular, so they may be sufficient to ward off eventual breaches of neutrality and other occasional encroachments in case of war going on in the neighborhood between foreign powers. In the last few years Sweden has reorganized its army—a reform dictated moreover by financial and administrative reasons,—and now the navy is in the way of being augmented to some degree of efficiency. Weaker Norway is following the lead in a newly awakened spirit of emulation that will make its resources more available for the common defence.

It is nowhere an easy thing to get parliaments to discuss measures, however necessary, which are not directly conducive to immediate benefit for large classes or masses of voters. The management of parties is for a wise ruler but a means of working for the permanent welfare of the country, and its details are properly left to responsible ministers. King Oscar is very far from cherishing any petty velleities to force upon the representation his own personal views as well as from asserting needlessly every point of the royal prerogative. Though professedly himself a free-trader by conviction, he has permitted two successive ministries to carry out a protectionist policy at the instance of the peasant proprietors who fear ruin by the unrestrained importation of foreign corn, especially of the Russian rye, produced by an agricultural population of a much lower standard of life. His own influence he exercises mainly in moderating the excesses of party programmes and warfare. He perceives the emptiness of the hot-headed and uncompromising conservatism which, in the wake of the victorious protectionist campaign, has come very much forward in some quarters. The future of Sweden is dependent upon the consolidation of the hitherto dominant class of peasant proprietors by the gradual assimilation into their midst of new strata of the laboring population that is growing apace, thanks to extending industry. Socialism of the German type is an artificial and wholly insignificant product in the North. Radicalism of the French pattern is a rare plant too; it thrives in some sort only among a few knots of men in one or two of the large towns.

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But the great fact of Scandinavian history in the nineteenth century, the comparatively-speaking colossal emigration to America, has widened the horizon of the masses at home through incessant communication with the settlers in the Far West. Added to the results of the constant spread of popular education, it has awakened previously undreamt of democratic aspirations, the satisfaction of which, however, will not be the object and aim of revolutionary efforts, but of patient and well-digested reform. By extending the suffrage in successive instalments, besides passing other measures of social usefulness, the King's government will pave the way for advancing democracy. Popular influence, with its strength derived from the national solidarity, is quite compatible with a ruling monarchy, as the history of Sweden has already repeatedly shown.

In Norway the situation is somewhat more complicated owing to the relative weakness of the steady-going peasantry. Parties are there more hostile to each other, but the rash experiments of swiftly-changing ministries are at this moment subsiding into the calmer every-day work of a coalition government, formed in response to the untiring appeals of the King to the best patriotic forces of the country. The "extreme left" or radical faction had committed the serious error of attaching itself to a programme which involved a secessionist policy toward the Union. In Sweden some leading politicians had not coolness enough to await the results of the Norwegian inner conflict, but hastened the bringing up of the Union question by untimely proposals and protests. For the King then arose the opportunity and the necessity of stepping forward as the mediator between opposing pretensions. In fulfilling this task he may reckon upon the aid and the common sense of the vast Unionist and peace-loving majority of the two kingdoms.

It will be a crowning laurel for his grey hairs if he lives to see the Union consolidated through wise adjustment, and his name will then go down to history with those of the never-to-be-forgotten kings of olden days.

HARALD HJÄRNE.

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EDMOND DE GONCOURT.

Of how few artists can it be said with certainty in this age of premature creation, of multitudinous and chaotic endeavor, and of imperfect and unfinished production, that they shall pass triumphantly on to posterity! How few there are whose works possess at once that perennial quality of thought, truth of sentiment, and absolute perfection of form necessary to assure them the reward of perpetual youth! Judging by these standards, we have already noticed, or have been enabled to ascertain, the singular vicissitudes affecting the literary history of our day. Many of our contemporaries acquainted with the most resounding successes, the most flattering triumphs, have fallen into oblivion during their own lifetime. A few names, which at the commencement of the century enjoyed an undoubted popularity, barely survive; have there not been strange dethronements even among more enduring reputations? Is de Musset read as our fathers read him? Is Théophile Gautier still found in every hand? Have not even the works of Victor Hugo been outlived in large measure? And does not the realistic school, triumphant only a few years ago, hold up before us an example of lamentable decadence?

Nevertheless the great writer on whom the tomb has so recently closed seems to belong to those whose work shall know the rare and enviable fortune of an almost intact survival. To quote the beautiful sentiment of Sainte Beuve, this work will present itself "sous une enveloppe admirable de résumé au regard sommaire de l'avenir"; it will impress by its faultless style, while it brings to bear upon the period a judgment at once absolute and true. But above all it will reveal to the gaze of the future, whatever that may be, one of those intelligences most enamoured of the divine, of imperishable beauty,—one of those existences which, like Flaubert, knew no loftier ideal, no more ardent passion.

Primarily, a few words concerning the man seem to be required, although, to speak truly, he is to be found with tolerable distinctness in all his books, particularly in the nine volumes of that unique monograph, his "Journal." I have frequently seen him at the house of the

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editor Charpentier, where the best which Paris holds in the artistic and literary world has assembled for half a century to create a *salon* destined to live in the history of our literature, and I retain a remembrance of this handsome and noble old man which time cannot weaken. Tall and erect of stature, unbowed by his seventy-five years, with clear and vivacious eye, precise and eloquent speech, and fine delicate hands, he appeared, as was written concerning him the day following his death by the chronicler Henri Bauer, "the splendid ancestor of our literary age, the rare forefather who must endure for all time." In the personality of Edmond de Goncourt, as well as in his conversation, we are predominantly impressed by his characteristic scrupulousness and innate aristocratic feeling. In a higher degree than any other writer of his time he possessed delicate and refined tendencies, which persistently recurred in his work, influencing it and inspiring in him scorn of easy success and of the fame he cared so little to acquire.

Born at Nancy, May 26, 1822, he made his first appearance in the literary world with his brother Jules in a novel entitled "En 18 . ." Since then this collaboration of two literary minds, unprecedented in the history of literature, has continued. Edmund de Goncourt, in the ninth volume of the "Journal," describes, in terms interesting to recall and clearly characterizing the elements of this collaboration, the touching communion and the profound and marvellous intellectual intimacy which, welding their personalities together, was only to cease with death :—

"I do not wish, in the last volume to be published during my life, to finish the 'Journal des Goncourt' without giving the history of our collaboration, without recounting its beginning, describing its various phases, indicating year by year in this dual work the predominance at times of the elder brother over the younger, and again of the younger over the elder. First of all there were two temperaments absolutely different: my brother, bright, spirited, expansive; I, melancholy, dreamy, concentrated; and, curiously enough, two brains receiving identical impressions from contact with the outside world. But when, having both studied painting, we devoted ourselves to literature, I admit my brother was the more accomplished stylist, the better master of diction, in fact more of a writer than myself, and over whom I had only the advantage of being more observant in my intercourse with men and things not yet brought to light and which might become the material for literature—novels, tales, and plays. Thus we made our first appearance, my brother under the influence of Jules Janin and I under that of Théophile Gautier; and any one can recognize in 'En 18 . .' the two inspirations, imperfectly intermingled, which gave our first book the character of a work with a dual voice and a double pen. Then followed biographies of art and historical works written somewhat under my pressure and the natural tendency of my mind toward truthful representation of the past and

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present: works in which perhaps my influence weighed somewhat more than my brother's. In this work our two styles were fused and amalgamated into a single style much more personal and altogether Goncourt. In this literary partnership my brother and I endeavored to disembarrass ourselves of something for which our masters were responsible; my brother threw off the slur of Janin's style and I the materialism of Gautier's; desiring to be altogether modern, we sought for a style masculine, distinctive, concise, with a Latin frame, approaching the language of Tacitus, whom at this time we were reading much. Above all we had a horror of wholesale conventionalism, to which I had already sacrificed too much, and we endeavored in the delineation of material things to spiritualize them with moral detail."

The widespread fame of the de Goncourts really began with the novel "Charles Demailly," their genius manifesting itself in these touching and vibrant pages. From that time every hour has been marked by creative activity sufficiently attested by the large number of works remaining to us. Whether it be in the history of the eighteenth century, which they have revived with marvellous brilliancy; in the novels in which they created a realism more vivid and actual than Zola's; in their notes of travel, or works on art;—their impeccable mastery as writers flashes forth everywhere victoriously, showing their continual anxiety to create the true and the beautiful. Death alone could dissolve such a union. It removed Jules de Goncourt in 1870, leaving the elder, Edmond, to continue undaunted his beautiful task as a writer with such works as "Les Frères Zemganno," "La Fille Elisa," "Chérie," and "La Faustin."

A little haughtily and scornfully, but with admirable nobleness, this task was accomplished in that little house at Auteuil,—*Le Grenier*, which he has described in his book "La Maison d'un Artiste." One cannot imagine the marvels that have been here accumulated by the author, day by day, with rare appreciation of the beautiful; his preference being chiefly won to the elegant and refined art of the eighteenth century. Of the masters of this period he possessed a collection of pictures, and especially of admirable drawings, acquired at a heroic sacrifice. Among the first to discover Chinese and Japanese art, more particularly that of Outamaro and Hokousai, he had in his possession some perfect specimens of their workmanship.

The activity of this great thinker was both formidable and diversified. As an art critic, he was able to depict the artists and the society of the eighteenth century, entering with subtle intuition into the life of the woman of this epoch, reviving all the charm of the somewhat affected delicacy of atmosphere by which she was surrounded. Not satisfied with conjuring up in perfection both men and places, as

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in works like "La Femme au 18e Siècle," "L'Amour au 18e Siècle," "Les Maîtresses de Louis XV," and "L'Œuvre de Watteau," he did more—he redoubled his qualifications as an observer and his scrupulous study of facts, with a solicitude for style and refinement carried at times to the extreme limit of sensibility. He did not confine his studies to the eighteenth century or to Japanese art; together with Jules de Goncourt he was the first to comprehend certain of his unrecognized contemporaries,—such men as the sculptor Barye, the draughtsman Daumier, the painter Delacroix, and many others.

As a dramatic author Edmond de Goncourt moved a world of imagination and fact, but his genius—above all else that of an incomparable stylist—could not become acclimatized to the exigencies and requirements of the stage, and in this respect none of his plays met with success or held its own before the footlights. Whatever there be in "La Fille Elisa," "Henriette Maréchal," "Germinie Lacerteux," or "Manette Salomon," his marvellous qualities of style and observation could not take the place of the scenic action wherein he failed. But if de Goncourt could not rise to the height of great dramatic talent, he has created an enduring work in romance, stamped with the seal of genius, chiselled in that eternal form of which Horace spoke when he wrote "Exegi monumentum ære perennius."

Many critics have pronounced the word "realism" in connection with him, but it seems to me that it is to misunderstand the tendencies of de Goncourt's genius to associate him with a school with which he held nothing in common but the name. In the restricted sense of the word he was no more a realist than Flaubert; he never accepted the license of extreme description allowed by the realistic novel. He was none the less a creator of truth because he was a creator of beauty; and perhaps for the very reason that he was a creator of beauty no one has better understood, studied, or felt the different aspects of modern life. He desired to substitute for the romance, which transports us into the realms of fancy and interests us solely by the picturesqueness of its incidents, a novel real in its scrupulous reproduction of the spectacle of daily life reflected through the sensibilities of the writer. And his charm lies partly in the concise and temperate manner he employs to depict this same truth that others are wild to show us in an accumulation of facts, in a compilation of proofs. This charm consists in a fine power of portrayal, often in very few words, but with that perfection of style which reproduces the essential in a situation or landscape and is, in short, the appanage of the classical masters.

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His procedure—if one may thus speak of so noble a method—consisted in the selection of a picturesque centre, and the placing in it of characters which are portraits and which move in a plot of anecdote and impressions rather than invention. "Charles Demailly" evokes the modern medical school; "Sœur Philomène," the haunts of those souls mysteriously and grievously wounded by life; "Renée Mauperin" and "Chérie" initiate us into the sickly bewilderment, the unsatisfied sensuality, and the nervous disorders of the modern young girl that so many others have since essayed to paint in vain. In "La Faustin," that prodigious *tour de force*, we find ourselves in the presence of passion perverted and deflected by research into artistic excitement. "Les Frères Zemganno" shows us—transplanted to the picturesque midst of the acrobats' life—the touching affection of the two brothers.

In this life so filled by the activity of the novelist, historian, and critic,—a life that counted friendships as unique as they were rare,—place must be made for the daily labor de Goncourt imposed upon himself in the writing of his "Journal," that portion of his work certainly the most decried. In these pages, wherein the *I* of the writer frequently assumes so large a place that we are made to see every event only in the relation which it appears to have solely to him, he has written the literary history of his time, and more particularly of his own life and work. The "Journal" was to him not merely a daily exercise; it was, so to speak, the scales by which the virtuoso regulated his thoughts; but for us it will remain one of the most precious and complete of documents.

Unhappily one is grieved at times to find regrettable smallnesses in the man,—to see that the world existed *for* him only when it occupied itself *with* him. He shows therein a constant susceptibility, an irritability, I might almost say an egotism, which is astonishing in so great a mover of thought. He frequently manifests an incomprehensible severity toward writers of such unquestionable and undisputed merit as Flaubert or Maupassant. In this ninth and last volume of memoirs, whose frankness made him so many enemies, he went so far as to be unwilling to recognize in Guy de Maupassant aught else than the talent of "novelière," instead of the grand breadth of the writer which amazes one in each of his novels. Such trivialities must be pardoned, however, in a man irritated by the mortification and disappointment which, since the death of his brother, have overshadowed his literary career.

What appears clearly from his "Journal," as from the general body

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of his work, is the impassioned worship he entertained for polite literature and the beautiful: herein lies the fundamental trait which explains his talent and his life. Noble and admirable are those who bring into our age of utilitarianism and base thirst for money a little of the religion of a past era! This creed as an aim and object filled his life and became the serene conclusion of which his whole existence was the exponent. To none more worthily than himself may be applied the axiom of our beloved and great Flaubert, "Usez votre jeunesse aux bras de la muse"; but he gave not merely his youth, but his whole life, with haughty and solitary pride in devotion to the ideal; and so his memory will survive not only by reason of the perfect works he has left us, but as a noble example of a life devoted to the worship of the divine and the beautiful.

HENRI FRANTZ.

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BANKS OF ISSUE IN THE UNITED STATES.

THERE is a deep underlying reason for the strength of the fallacies of currency inflation in a new country. Its settlers are men without capital. They have the land and are ready to apply their own labor to it. Their economic weakness is in the want of capital. The confusion of capital and money is radical and persistent. It may appear at any moment in the thinking of any man, if it is not guarded against by well-trained scrutiny. It is favored by current forms of expression which cannot be altered, and by popular and customary ways of looking at phenomena. It is further strengthened by the lamentable fact that the terms have no fixed and universally accepted definitions. It is inevitable that, in the absence of special training to the contrary, a man will think that he wants the medium of exchange when he wants the goods which are exchanged. It follows further, from the situation of settlers on new land, that they are tempted into debt in order to get the capital which they need. Can the land produce enough to support the laborer and accumulate the capital necessary to its exploitation? It can, if the laborer has the self-control to renounce the enjoyment of his product and turn it into capital. Can it even overtake the accumulation of interest on capital borrowed in advance of the exploitation? It can do that also, subject to the same condition, but, in this case, the self-denial called for is still harder, and the moral stamina required to produce it is weakened by the handling of large amounts of capital which are not one's own. Thousands of men have thus borrowed and paid; thousands of men have failed at it, in the history of this country. In any case the arrangement produces a condition of general indebtedness of the new country to the older centres of civilization which is, in many social and political respects, a dangerous state of things. In New England a hundred and fifty years ago, in the Middle States after the second war, in Kentucky and Tennessee a few years later, in the Ohio States in 1840, this danger of war between debtors and creditors developed into a real social and political calamity.

The same circumstances in the situation of new settlers have also led them into delusions about the general nature of credit. They

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have regarded it as a successful make-believe or "bluff," which could be carried through by dash and bounce. They have thought that states could put it in effect with especial success. The notion has prevailed that the "faith and credit" of a state could be "coined," and could be made to do the same work as coined metal. These notions led to the calamitous experiments of the colonists with "bills of credit," and to the continental paper-money. Credit never does anything but transfer capital, thus indeed immensely increasing its efficiency by uniting scattered portions of it into effective masses, or bringing it into the hands of those who can most effectively employ it. The capital, however, must be there.

The circumstances of new settlers also stimulate speculation and develop a fondness for it. The rise in the value of land and of cattle and horses is a phenomenon to arrest attention and induce speculation. In a new country, the fluctuations in prices on account of changes, opening communications, introducing machines, or new methods, or new kinds of products, are frequent and sudden. Natural monopolies arise and are dissolved. Intelligent exploitation of these changes, and, still more, intelligent anticipation of them, are richly rewarded. The middle-men or "speculators" seem to win the cream of all the production, and very often they do do so.

These three facts in the situation of new settlers—lack of capital, indebtedness with misunderstanding of credit, and fondness for speculation—when taken together, go far to explain the eagerness of the people for banks. Banks were very generally regarded, in the seventeenth century, in western Europe, as institutions of almost magical efficiency. The belief in the possibility of banking on land, instead of on capital, was like the belief in the philosopher's stone. The belief that banks could increase capital by floating unsecured notes, and that this kind of financial legerdemain was the high function of the banker, lasted well into the eighteenth century. Alexander Hamilton never outgrew it and it is strong amongst us now. If land could be treated as capital, and circulating notes could be "based" on it, colonists who had millions of acres of it and little else could have all the "money" they wanted, and if this currency was capital, or could do the work of capital, then the "banquet of life" was indeed all ready spread.

The bank schemes of the colonial days were built upon these notions. The banks were either associations of individuals or enterprises of the political body. In neither case did they have any capital. A "bank" was simply a name for a batch of notes issued by loan, and

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finding circulation by common consent and acceptance. They were maintained by no system of redemption, for the kind of ultimate provision which was arranged for them was not redemption and did not really provide for them. The continental currency was only the most notorious experiment on the same line, and when the federal Constitution was adopted it seemed to be agreed that the experiment of paper-money on the colonial theory had been tried to the bitter end, and that it was a complete failure.

Such at least was the conviction of the Constitution-makers and it might be called the federal doctrine. The former notions were not, however, abandoned by the mass of the people. The latter were divided between two contradictory opinions and policies. One part of them took a violent dislike to all banks. They united social, political, sectional, and financial notions in defence of this policy of hostility. It was supposed to be the essential feature of a bank, as an institution, that it issued notes to be used as money of account and current cash. As such, banks were held to be engines of the "money power," undemocratic, unrepublican, monopolistic, and the like. The democracy, recognizing its greatest foe in plutocracy, was quick in its jealousy and suspicion. It thought that it saw that foe wherever it saw wealth collected in important quantities. It was a cognate idea that banks were devices of city people, and were either engines for the aggrandizement of those people, or engines available for the common good but appropriated by city people. Hence it was very common for legislatures largely composed of agriculturists, when they granted bank charters, to insert provisions that a certain fraction of the capital should be lent on land. As the southern States were more purely agricultural than the northern, this antagonism of town and country became an antagonism of North and South. Another section of the popular party, however, were eager to multiply banks, believing that they could be made the poor man's friend; but this party clung to the colonial fallacies about banks on land security and on the "credit" of the state.

Inasmuch as the antagonism of classes takes the place in civilized society of the ceaseless warfare of tribes and nations in savage society, and inasmuch as the great antagonisms of classes are those of town *versus* country and debtors *versus* creditors; inasmuch also as the struggle between democracy and plutocracy is the rising crisis of modern history, it is clear that the conflicts over banks and currency are the real great tragedy of American history, beside which even slavery and civil war appear as only passing incidents.

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Hamilton, the two Morrises, and other men of that class made a great distinction between banks and paper-money machines, but they held to the conception of a bank which would make of it a clever device for juggling with paper issues so as to maintain successfully a false pretence. They knew, however, that a bank must be founded on capital, and they expected it to meet all the responsibilities of the note-juggling which it might carry on. It was upon their ideas that the first chartered associations for banking and issuing notes were organized. The leading financiers who have been mentioned, however, thought that debt, at least national debt, might be made a basis of banking. They followed the theories of the Bank of England. It was said that a bank must be founded on capital. In later times it was said that the capital must be paid in in specie at the beginning. But why is a capital needed? After twenty or thirty years of convertible-note banking, writers on the subject began to raise this question. They said that the stockholders could lend their own capital as well as the bank could do it. The only profit of the bank was from its circulation, "which cost nothing," but which could be lent like capital. At best the capital was only a guarantee. It might well, then, be permanently invested in the national debt or in mortgages. Again: Why collect the capital in a pile of specie? The first operation of the bank would scatter it again. Why not just as well collect it in credit instruments and distribute it in the same way? The bankers of the period did not wait to be led through the steps of this reasoning by experience. They anticipated it at once. It is very doubtful if any bank of the kind now under notice ever had a cash paid-up capital. The stockholders paid their subscriptions with their notes; that is, they permanently invested the capital in loans to themselves. Whatever was paid in was paid by credit instruments of various kinds. Deposits were scanty, because few people had surplus capital in their hands even temporarily. A bank was really only a clique of persons who had obtained a charter to create an institution which issued notes on no security at all. There was, therefore, war between those who were in the clique and those who were outside it. The former desired that there should be no more banks, lest their monopoly and privilege should be destroyed. The latter besieged every legislature with clamor for more bank charters. It is evident that banks of this type were really only paper-money machines owned and exploited by cliques of individuals.

The second section of the popular party as above described invented

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the great Bank of the State, as a means of realizing the benefits of banking for the masses without giving opportunities to the money power. In Vermont and in all the States south and west of Maryland attempts were made to put this scheme in effect. Sometimes the bank was organized with private stockholders for a part of the capital, the State furnishing the rest, which consisted sometimes of funds owned by the State, which were thus put to productive use, and sometimes of capital borrowed for the purpose. In other cases the State provided all the capital, and there were no private stockholders. This capital also was more or less real in different cases, grading off nearer and nearer to the pure "faith and credit" of the State, so that some of these banks were only State paper-money machines. All these schemes illustrate the recklessness with which untrained and inexperienced men will plunge into projects suggested by a crude idea or two, without any comprehension of the possible consequences. It was very noteworthy that the men who, in the States, invented and set in operation the Banks of the States were the most vehement opponents of the Bank of the United States, and that the opponents of banks were by no means opponents of bank-note currency or inflation. The fight was not against the abuse, but it was over the question, who shall have the benefit of it? It was not until the second quarter of this century that a class of men arose who tried to attack the abuse itself. During the war of the Jackson Administration on the second Bank of the United States all these elements were commingled, and it is totally untrue to history to regard that war as a simple conflict between Jackson and the Bank.

As between the chartered banks and the Banks of the States it would be difficult to say which were the more mischievous. It is easy to see that the former, being organized as has been described above, were unsound and often mere swindles. If we look at the period of twenty-five years from 1790 to 1815, we find that the bankers developed with great assiduity the institutions under their charge on the lines on which they had been laid down. They went on to devise and practise trick after trick by which the bank could win what were really illegitimate gains. Banks were secret societies. They exerted social and business terrorism. They were allied with one or another political party and participated in party warfare. It was soon found that a bank which had no capital could be made a resource for insolvents. Stockholders were not creditors of the bank but debtors to it. A group of bankrupts got a charter, put in stock notes for their subscriptions, and

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divided amongst themselves the bank-notes. In a time of inflation it was an enormous advantage to have these in the first hand. Redemption was provided for only at a distance, on the taking plea that this would provide "exchange" and "facilitate exportations." Then it was found that two of these banks could be played off against each other. Notes of specie-paying banks were "cash items" and as good as specie. If each of the two was a specie-paying bank (and it was so until it had failed), its notes held by the other made the latter a specie-paying bank holding a fair amount of specie or its equivalent. Then it was found that, if two banks three or four hundred miles apart redeemed each other's notes, they could sustain each other although each was worthless. Of course all this depended on the prestige of the name of a "bank" and the physical appearance of a bank-note, and history proves convincingly that this prestige was enormous. The bankers exploited it to the utmost. Often it was the only capital they had. In scores of cases down to the civil war a stock speculator in desperate circumstances bought the charter name of a defunct bank in the country, printed a mass of its notes, and set them in circulation in support of his enterprises. The banks disregarded or defied the law so far as attempts to legislate in regard to them were made, which was only to a slight extent. The legislatures either feared them or were dominated by them. Between what a charter did not enjoin and what it did not prohibit the bank managed to do as it chose. It defied the taxing power, the police power, and the visitorial power of the State. Finally, when, by its folly and wrongdoing it had fallen into embarrassment, and found it inconvenient to meet its responsibilities, it "suspended." It made gains because it got interest on its own debts, and this interest it collected inexorably, but when called upon to pay its debts it simply declined to do so. It is not until one has descended far down into the wickedness, corruption, and injustice of all this that one can understand the fierce invective and denunciation of the period against banks.

The great Banks of the States were as bad in a different way. They fell into the hands of cliques of politicians. The bank corrupted the State government and the State government corrupted the bank. In different States, of course, the story differed. The period of experiment with this class of institutions was from 1820 to 1840. The State funds were squandered and lost. Heavy debts were incurred for which the State never got anything. The "poor men" never realized any effects except debt, misery, and bankruptcy, and were generally

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forced to emigrate and begin life over again. These banks illustrated on a grand scale the disastrous mistake of urging easy credit on men who have not been trained to use it, but probably they had a still greater evil influence in fostering booms, speculation, and land jobbing. The most eloquent testimony to their effects is in the provisions about banks which were inserted in the new State constitutions of the period. Those provisions were either extreme restrictions or absolute prohibitions of banking institutions.

It was in the period of liquidation after the crisis of 1837 that the State began to get due authority over banks. When the banks all failed they fell under the mercy of the State, and it was by a sort of concordat for allowing the best of them to go on again that the State brought them to order. The public anger against them also furnished the politicians with the necessary courage. The Banks of the States were far harder to reduce to submission than the chartered banks. It might be thought that the State could control its own institutions. Such was not the case. One of the weakest points in all public affairs in the early part of the century was the lack of accountability. This is not a phenomenon which attracts the attention of the historian, but its intense importance for social and political welfare will not be denied. Defalcations in public accounts were frequent and were never punished. Everybody resented demands of punctuality and promptitude. Such demands were regarded as an invasion of liberty. We can trace the steps by which business punctuality gradually superseded the old colonial shiftlessness and dawdling, at first in the Northeast, and later through the South and West. The Banks of the States were always planned and administered to be popular; hence they aimed especially to cultivate the opposite policy to that of which the people complained in the Banks of the United States. Under cover of this policy the officers, supported by their friends to whom they had made loans, and who were strong in the legislature, were able to defy the administrative officers of the State, which they sometimes did in terms of great impropriety.

The so-called "Free-Banking" law of New York of 1838 was produced by the discussions which had been going on for twenty years about banking. The chief motive of it was to divorce banking and politics. It will be noted that the plan rests upon that view of the function of the capital of a bank which has been cited above. The capital was to be permanently invested in State bonds or in mortgages as a guarantee. The circulation was to be taken out of the control of

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the bank. It was to be limited in amount and secured. This meant that it was no longer to be elastic. The country had had an elastic bank-note currency, relying on the business responsibility of the banker, for fifty years. How the banker had discharged his responsibility has been shown above. The elasticity of the currency in his hands, instead of being a resource for emergencies, had been a means of operating the widest possible vibrations of expansion and contraction from year to year. One reflection is certainly forced on the student of this history. It cannot be that prices responded to these vibrations as current doctrines assume that they would. The New York statesmen of 1838 meant to take away liberty and impose law, because they despaired of that intelligent caution and enlightened prudence without which, in banking as in everything else, liberty is only a curse. The National-Bank law, founded in part on the New York Free-Banking law, perpetuates the same policy of restriction and security with a renunciation of the ease and flexibility of liberty.

In the history of the United States, branch banks have not been found safe and useful. It has been mentioned above that in the early days it was a favorite device of bad banking to play off two banks against each other. The branch system facilitated this. The organization of a bank with branches may vary very much in different cases, and it may be such as to provide good safeguards. The Bank of the State of Indiana had a very stringent and effective discipline in the hands of the central authority. In fact it was not a bank with branches. It was a system for coördinating a number of small independent banks, scattered through the State, under a central Board of Control, endowed by the State with strong regulative and disciplinary authority. It is not known that any bank with branches ever flourished and succeeded, and was able to cope with the difficulties, as well as independent banks united by contract and alliance could do so. Of the first Bank of the United States and its branches little is known; of the second one we know that bill-kiting went on between its branches, and that the parent bank had great difficulty to manage them.

Although after 1837 the State authority did gain some control of banks in some States, and although various devices, such as safety-fund, bond security, and Suffolk system, showed progress in methods of banking, yet nothing radical or durable had been accomplished, even in the oldest States, before the civil war, toward the solution of the problems presented by banks of issue. All through the first half of the century the popular temper oscillated between mania for banks

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and rage against them; so much so that it would be impossible to say whether the popular party has been a bank party or an anti-bank party. The fickleness of the popular temper has been more manifested in connection with this subject than any other.

The history of banks in the United States for seventy-five years before the national banks were established covers experiments in issue-banking wider, more various, more numerous, and more thorough than can be found in any or all other countries put together. There are few notions or vagaries connected with the subject which have not been tried here. The opinionated crank, ready to sacrifice the industrial prosperity of a commonwealth for years in order to try a whim which he has adopted, has had his way here again and again. If upon a review of the history one single merit can be ascribed to the local bank system the present writer does not know what it is. The national banks have existed already nearly half as long as the period of experiment just mentioned. We have indeed heard, from time to time, denunciations of those banks and loose assertions about them, but these have been only expressions of ignorant passion and malevolence, for no allegations of fact have ever been made in support of them which could even stand examination. The national banks have had very little history; that is to say, they have had few vicissitudes and have had but a small share in public affairs. They have had no political character; they have not constituted an interest; they have not been an element to be reckoned with; they have not organized even when all other interests were organizing; they have confined themselves to their business and have conducted it on business principles only; complaints of favoritism by them are almost unknown and would not be understood; they are entirely subject to the law and to the authority of the appropriate administrative officers; they cannot and do not in any way oppress anybody or threaten harm to any interest of society. All this is in most striking contrast to the facts under the old system. At the same time all the causes of the old evils are present, and are ready to spring into activity again, if banks of issue were once more put under the control of forty separate legislatures, and if there should be five thousand such banks in the United States.

Matters of currency are entirely matters of routine and habit for all but a small group of people in the community. So long as currency will "pass," the great mass of the people ask no further about it. The people of to-day do not know what it has cost to arrive at the bank-note currency which we now possess; which really is a national

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institution. It is seriously proposed to go back to the State system. If history is of any use, and if men ever learn from it, now is a good occasion to see it proved. If a merchant or statesman of 1820 or 1840 or 1860 could come to life again and find that we had a paper currency of universal circulation from Maine to California, without question or discount, and that we were discussing the advisability of throwing it away in order to return to the old system, he would think that we were mad. There is one argument and only one for such action. If the sections of the Union are irreconcilably at war with each other in their notions about currency, it may at last appear necessary to give up the national system and allow each State to have such currency system as it chooses. This would be financial anarchy for the sake of political peace. It would be sacrificing one of the greatest blessings which the Union is capable of securing for us. That is what the Union is for. It is the grandest peace-combination which ever has existed amongst mankind upon a rational and voluntary basis. Its utility is that, inside of it, if there is wisdom enough, the interests of seventy million people may be organized and ordered by the methods of peace and order so as to secure great advantages. If there is discord, divergence, and conflict as to great common interests, the benefits of the Union are lost. The currency, however, is the greatest common interest there is.

W. G. SUMNER.

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INTERNATIONAL LAW AND ARBITRATION.[1]

I PROPOSE briefly to consider what is International Law; its sources; the standard—the ethical standard—to which it ought to conform; the characteristics of its modern tendencies and developments, and then to add some (I think) needful words on the question, lately so much discussed, of International Arbitration.

I call the Rules which civilized nations have agreed shall bind them in their conduct *inter se* by the Benthamite title, "International Law." And here on the threshold of my subject I find an obstacle in my way. My right so to describe them is challenged. It is said by some that there is no International Law, that there is only a bundle, more or less confused, of rules to which nations more or less conform, but that International Law there is none. The late Sir James F. Stephen takes this view in his "History of the Criminal Law of England," and in the celebrated "Franconia" case (to which I shall hereafter have occasion to allude) the late Lord Coleridge speaks in the same sense. He says: "Strictly speaking 'International Law' is an inexact expression and it is apt to mislead if its inexactness is not kept in mind. Law implies a Lawgiver and a Tribunal capable of enforcing it and coercing its transgressors." Indeed it may be said that with few exceptions the same note is sounded throughout the judgments in that case. These views, it will at once be seen, are based on the definition of Law by Austin in his "Province of Jurisprudence Determined," namely, that a Law is the command of a superior who has coercive power to compel obedience and punish disobedience. But this definition is too narrow; it relies too much on force as the governing idea. If the development of Law is historically considered, it will be found to exclude that body of customary law which in early stages of society precedes law which assumes, definitely, the character of positive command coupled with punitive sanctions. But even in societies in which the machinery exists for the making of law in the Austinian sense, rules or customs

[1] From the annual Address by the Right Hon. Lord Russell of Killowen, Lord Chief Justice of England, before the American Bar Association, Saratoga Springs, New York, August 20th.

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grow up which are laws in every real sense of the word, as, for example, the Law Merchant. Under later developments of arbitrary power, Laws may be regarded as the command of a Superior with a coercive power in Austin's sense: *Quod placuit principi legis vigorem habet.* In stages later still, as government becomes more frankly democratic, resting broadly on the popular will, Laws bear less and less the character of commands imposed by a coercive authority, and acquire more and more the character of customary law founded on consent. Savigny, indeed, says of all law, that it is first developed by usage and popular faith, then by Legislation, and always by internal silently-operating powers, and not mainly by the arbitrary will of the Law-giver.

I claim, then, that the aggregate of the Rules to which nations have agreed to conform in their conduct toward one another are properly to be designated "International Law."

The celebrated author of "Ecclesiastical Polity," the "judicious" Hooker, speaking of the Austinians of his time, says: "They who are thus accustomed to speak apply the name of Law unto that only rule of working which superior authority imposeth, whereas we, somewhat more enlarging the sense thereof, term every kind of rule or canon whereby actions are framed a Law." I think it cannot be doubted that this is nearer to the true and scientific meaning of Law.

What, then, is International Law?

I know no better definition of it than that it is the sum of the Rules or Usages which civilized states have agreed shall be binding upon them in their dealings with one another.

Is this accurate and exhaustive? Is there any *a priori* rule of right or of reason or of morality which, apart from and independent of the consent of nations, is part of the Law of Nations? Is there a Law which Nature teaches, and which, by its own force, forms a component part of the Law of Nations? Was Grotius wrong when to International Law he applied the test "placuit-ne Gentibus"?

These were points somewhat in controversy between my learned friends Mr. Phelps and Mr. Carter and myself before the Paris Tribunal of Arbitration in 1893, and I have recently received from Mr. Carter a friendly invitation again to approach them—this time in a judicial rather than in a forensic spirit. I have reconsidered the matter, and, after the best consideration which I can give to the subject, I stand by the proposition which in 1893 I sought to establish. That proposition was that International Law was neither more nor less than

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what civilized nations have agreed shall be binding on one another as International Law.

Appeals are made to the Law of Nature and the Law of Morals, sometimes as if they were the same things, sometimes as if they were different things, sometimes as if they were in themselves International Law, and sometimes as if they enshrined immutable principles which were to be deemed to be not only part of International Law, but, if I may so say, to have been preordained. I do not stop to point out in detail how many different meanings have been given to these phrases —the Law of Nature and the Law of Morals. Hardly any two writers speak of them in the same sense. No doubt appeals to both are to be found scattered loosely here and there in the opinions of continental writers. Let us examine them.

What is the Law of Nature?

Moralists tell us that for the individual man life is a struggle to overcome nature, and in early and what we call natural or barbarous states of society, the arbitrary rule of force and not of Abstract Right or Justice is the first to assert itself. In truth, the initial difficulty is to fix what is meant by the Law of Nature. Gaius speaks of it as being the same thing as the *Jus Gentium* of the Romans, which, I need hardly say, is not the same thing as *Jus inter Gentes*. Ulpian speaks of the *Jus naturale* as that in which men and animals agree. Grotius uses the term as equivalent to the *Jus stricte dictum*, to be completed in the action of a good man or state by a higher morality, but suggesting the standard to which Law ought to conform. Pufendorf in effect treats his view of the rules of abstract propriety, resting merely on unauthorized speculations, as constituting International Law and acquiring no additional authority from the usage of nations; so that he cuts off much of what Grotius regards as Law. Ortolan, in his "Diplomatie de la Mer," cites with approval the following incisive passage from Bentham, speaking of so-called natural rights springing from so-called natural law:—

"Natural right is often employed in a sense opposed to Law, as when it is said, for example, that Law cannot be opposed to Natural right, the word 'right' is employed in a sense superior to Law, a right is recognized which attacks law, upsets and annuls it. In this sense, which is antagonistic to law, the word 'droit' is the greatest enemy of reason and the most terrible destroyer of governments. We cannot reason with fanatics armed with a natural right, which each one understands as he pleases, applies as it suits him, of which he will yield nothing, withdraw nothing, which is inflexible, at the same time that it is unintelligible, which is consecrated in his eyes like a dogma and which he cannot discard with-

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out a cry. Instead of examining laws by their results, instead of judging them to be good or bad, they consider them with regard to their relation to this so-called natural right. That is to say, they substitute for the reason of experience all the chimeras of their own imagination."

Austin, also, in his work on Jurisprudence, already mentioned, and referring to Pufendorf and others of his school, says:—

"They have confounded positive international morality, or the rules which actually obtain amongst civilized nations in their mutual intercourse, with their own vague conceptions of international morality as it ought to be, with that indeterminate something which they call the law of nature. Prof. von Martens of Göttingen is actually the first of the writers, on the law of nations, who has seized this distinction with a firm grasp; the first who has distinguished the rules which ought to be received in the intercourse of nations, or which would be received if they conformed to an assumed standard of whatever kind, from those which *are* so received, endeavored to collect from the practice of civilized communities what are the rules actually recognized and acted upon by them and gave to these rules the name of positive international law."

Finally, Woolsey, speaking of this class of writers, says they commit the fault of failing to distinguish sufficiently between natural justice and the law of nations, of spinning the web of a system out of their own brain as if they were the legislators of the world, and of neglecting to inform us what the world actually holds the law to be by which nations regulate their conduct. So much for the Law of Nature.

What are we to say of the appeal to the Law of Morality?

It cannot be affirmed that there is a universally accepted standard of morality. Then what is to be the standard? The standard of what nation? The standard of what nation and in what age?

Human society is progressive—progressive let us hope to a higher, a purer, a more unselfish ethical standard. The Mosaic law enjoined the principle of an eye for an eye, a tooth for a tooth. The Christian law enjoins that we love our enemies and that we do good to those who hate us. But more. Nations although progressing, let us believe, in the sense which I have indicated, do not progress *pari passu*. One instance occurs to me pertinent to the subject in hand.

Take the case of Privateering. The United States is to-day the only great Power which has not given its adhesion to the principle of the Declaration of Paris of 1856, for the abolition of Privateering. The other great nations of the earth have denounced Privateering as immoral and as the cover and the fruitful occasion of Piracy. I am not at all concerned to discuss in this connection whether the United States were right or were wrong. It would not be pertinent to the point; but it is just to add that the assenting Powers had not scrupled to

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resort to Privateering in past times, and also that the United States declared their willingness to abandon the practice if more complete immunity of private property in time of war were secured.

Nor do nations, even where they are agreed on the inhumanity and immorality of given practices, straightway proceed to condemn them as international crimes. Take as an example of this the Slave Trade. It is not too much to say that the civilized Powers are abreast of one another in condemnation of the traffic in human beings as an unclean thing—abhorrent to all principles of humanity and morality, and yet they have not yet agreed to declare this offence against humanity and morality to be an offence against the Law of Nations. That it is not so has been affirmed by English and by American judges alike. Speaking of morality in connection with International Law, Prof. Westlake in his "Principles of International Law" acutely observes that while the rules by which nations have agreed to regulate their conduct *inter se*, are alone properly to be considered International Law, these do not necessarily exhaust the ethical duties of states one to another, any more, indeed, than municipal law exhausts the ethical duties of man to man; and Dr. Whewell has remarked of jural laws in general that they are not (and perhaps it is not desirable that they should be) coextensive with morality. He says the adjective *right* belongs to the domain of morality; the substantive *right* to the domain of law.

The truth is that civilized men have at all times been apt to recognize the existence of a Law of Morality, more or less vague and undefined, depending upon no human authority and supported by no human external sanction other than the approval and disapproval of their fellow men, yet determining, largely, for all men and societies of men what is right and wrong in human conduct, and binding, as is sometimes said, *in foro conscientiæ*. This Law of Morality is sometimes treated as synonymous with the Natural Law, but sometimes the Natural Law is regarded as having a wider sphere, including the whole Law of Morality. It cannot be said either of International Law or Municipal Law that they include the Moral Law nor accurately or strictly that they are included within it. It is a truism to say that Municipal Law and International Law ought not to offend against the Law of Morality. They may adopt and incorporate particular precepts of the Law of Morality; and on the other hand, undoubtedly, that may be forbidden by the Municipal or International Law, which in itself is in no way contrary to the Law of Morality or of Nature. But whilst the conception of the Moral Law or Law of Nature excludes all idea of de-

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pendence on human authority, it is of the essence of Municipal Law that its rules have been either enacted or in some way recognized as binding by the supreme authority of the state (whatever that authority may be), and so also is it of the essence of International Law that its rules have been recognized as binding by the nations constituting the community of civilized mankind.

We conclude then that, while the aim ought to be to raise high its ethical standard, International Law, as such, includes only so much of the Law of Morals or of right reason or of natural law (whatever these phrases may cover) as nations have agreed to regard as International Law. In fine, International Law is but the sum of those rules which civilized mankind have agreed to hold as binding in the mutual relations of states. We do not indeed find all those rules recorded in clear language—there is no International code. We look for them in the long records of customary action; in settled precedents; in Treaties affirming principles; in state documents; in declarations of nations in conclave—which draw to themselves the adhesion of other nations; in declarations of Text writers of authority generally accepted, and lastly, and with most precision, in the field which they cover, in the authoritative decisions of Prize Courts. I need hardly stop to point out the great work under the last head accomplished, amongst others, by Marshall and Story in these States, by Lord Stowell in England, and by Portalis in France.

From these sources we get the evidence which determines whether or not a particular canon of conduct, or a particular principle, has or has not received the express or implied assent of nations. But International Law is not as the twelve Tables of ancient Rome. It is not a closed book. Mankind are not stationary. Gradual change and gradual growth of opinion are silently going on. Opinions, doctrines, usages, advocated by acute thinkers are making their way in the world of thought. They are not yet part of the Law of Nations. In truth, neither doctrines derived from what is called the Law of Nature (in any of its various meanings) nor philanthropic ideas, however just or humane, nor the opinions of Text writers, however eminent, nor the usages of individual states—none of these, nor all combined, constitutes International Law.

If we depart from the solid ground I have indicated, we find ourselves amid the treacherous quicksands of metaphysical and ethical speculation; we are bewildered, particularly by the French writers in their love for *un système*, and perplexed by the obscure subtleties of

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writers like Hautefeuille with his *Loi primitive* and *Loi secondaire.* Indeed, it may, in passing, be remarked that history records no case of a controversy between nations having been settled by abstract appeals to the Laws of Nature or of Morals.

But while maintaining this position, I agree with Woolsey when he says that if International Law were not made up of rules for which reasons could be given, satisfactory to man's intellectual and moral nature, it would not deserve the name of a Science. Happily those reasons can be given. Happily men and nations propose to themselves higher and still higher ethical standards. The ultimate aim in the actions of men and of communities ought, and I presume will be admitted, to be, to conform to the divine precept, "Do unto others as you would that others should do unto you."

I have said that the rules of International Law are not to be traced with the comparative distinctness with which Municipal Law may be ascertained—although even this is not always easy. I would not have it, however, understood that I should to-day advocate the codification of International Law. The attempt has been made by Field in this country and by Prof. Bluntschli, of Heidelberg, and by some Italian jurists, but has made little way toward success. Indeed, Codification has a tendency to arrest progress. It has been so found, even where branches or heads of Municipal Law have been codified, and it will at once be seen how much less favorable a field for such an enterprise International Law presents, where so many questions are still indeterminate. After all it is to be remembered that jural law, in its widest sense, is as old as society itself; *ubi societas ibi jus est;* but International Law, as we know it, is a modern invention. It is in a state of growth and transition. To codify it would be to crystallize it; uncodified it is more flexible and more easily assimilates new rules. While agreeing, therefore, that indeterminate points should be determined and that we should aim at raising the ethical standard, I do not think we have yet reached the point at which codification is practicable, or if practicable would be a public good.

Let me give an analogy. Amongst the most successful experiments in codification, in English communities, have been those in Anglo-India, particularly the Penal Code and the Codes of Criminal and Civil Procedure. Prompted by their comparative success, Sir Roland Wilson urged the extension of the process of codification to those traditional unwritten native usages, or customary law, of Hindu or Mohammedan origin, still recognized in the government of India by

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Englishmen. But the wiser opinion of Indian experts was, that it was better not to persevere in the attempt. Many of these usages, by sheer force of contact with European life and habits of thought, are falling into desuetude. The hand of change is at work upon them, and to codify them would be to stop the natural progress of disintegration.

As we are not considering the history of International Law, I shall say but a word as to its rise and then pass on to the consideration of its later developments and tendencies.

Like all Law, in the history of human societies, it begins with usage and custom, and, unlike Municipal Law, it ends there. When, after the break-up of the Roman Empire, the surface of Europe was partitioned and fell under the sway of different sovereigns, the need was speedily felt for some guiding rule of International conduct. International Law was in a rudimentary stage; it spoke with ambiguous voice, it failed to cover the whole ground of doubtful action. It needed not only an interpreter of authority, but one who should play at once the part of mediator, arbiter, and judge. The Christian religion has done much to soften and humanize the action of men and of nations; and the Papal Head of Christendom became, after the disruption of the Roman Empire, the Interpreter and almost the embodiment of International Law. The Popes of the Middle Ages determined many a hot dispute between rival forces without loss of human life. Their decrees were widely accepted. Their action, however, at the best, could not adequately supply the place of a rule of Conduct to which all might indifferently appeal. And when, later, with the Reformation movement, the time came when the Pope could not command recognition as the Religious Head of a united Christendom, the necessity of the time quickened men's brains and, under the fostering care of the jurists of many lands, there began to emerge a system which gave shape and form to ideas generally received and largely acted on by nations.

What Sir James Stephen has eloquently said of religion may truly be predicated of International Law. The jurists set to music the tune which was haunting millions of ears. It was caught up, here and there, and repeated till the chorus was thundered out by a body of singers able to drown all discords and to force the vast unmusical mass to listen to them.

Although Hugo de Groot is regarded as the father and founder of International Law, he was preceded by two men born into the world forty years before him, namely, Ayala (the Spanish Judge-Advocate

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with the army of the Prince of Parma) and Suarez (a Jesuit priest, also a Spaniard), both born in 1548, whose labors ought not to be forgotten. Suarez in his "De Legibus et Deo Legislatore," and Ayala in his "De Jure et Officiis Bellicis et Disciplina Militari," had done good work.

Suarez, from the point of view of the Catholic theologian, assumes that the principles of the Moral Law are capable of complete and authoritative definition and are supported by the highest spiritual sanction. He therefore treats of the *Lex Naturalis* as a definite substantive law, sufficient and complete in its own sphere and binding on all men. But he regards International Law as a code of rules dealing with matters outside the sphere of the Natural Law: matters not strictly right or wrong in themselves, but becoming so only by virtue of the precepts of the law which he considers to be founded upon the generally recognized usages of nations. In the following passage, which is interesting from the singular modernness of its spirit, he explains his view of the origin of International Law:—

"The foundation of the law of Nations lies in this, that the human race, though divided into various peoples and kingdoms, has always a certain unity, which is not merely the unity of species, but is also political and moral; as is shown by the natural precept of mutual love and pity, which extends to all peoples, however foreign they may be to one another, and whatever may be their character or constitution. From which it follows that although any state, whether a republic or a kingdom, may be a community complete in itself, it is nevertheless a member of that whole which constitutes the human race; for such a community is never so completely self-sufficing but that it requires some mutual help and intercourse with others, sometimes for the sake of some benefit to be obtained, but sometimes, too, from the moral necessity and craving which are apparent from the very habits of mankind.

"On this account, therefore, a law is required by which states may be rightly directed and regulated in this kind of intercourse with one another. And although to a great extent this may be supplied by the Natural Law, still not adequately nor directly, and so it has come about that the usages of states have themselves led to the establishment of special rules. For, just as within an individual state custom gives rise to law, so for the human race as a whole, usages have led to the growth of laws of nations; and this the more easily, inasmuch as the matters with which such law deals are few and are closely connected with the Law of Nature from which they may be deduced by inferences which, though not strictly necessary, so as to constitute laws of absolute moral obligation, still are very conformable and agreeable to nature, and therefore readily accepted by all."

Nor ought we to overlook the work of a writer even earlier than these. I mean Franciscus à Victoria. Hall says of him that his writings in 1533 mark an era in the history of International Ethics.

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Spain claimed, largely by virtue of Papal grant and warrant, to acquire the territory and the mastery of the semi-civilized races of America. He denied the validity of the Papal Title; he maintained the sovereign rights of the aboriginal races; and he claimed to place international relations upon the basis of equal rights as between communities in actual possession of independence. In other words, he, first, clearly affirmed the juridicial principle of the complete international equality of independent states, however disproportionate their power.

Grotius undoubtedly had had the field of international relations explored by these, amongst other writers who had preceded him, but to him is certainly due the credit of evolving, in his "De Jure Belli ac Pacis," a coherent system of law for the aggregation of states.

But I turn from this interesting line of thought, to consider, first, the part played by the United States in shaping the modern tendencies of International Law, and, next, whither those tendencies run. It is not too much to say that the undoubted stream of tendency in modern International Law to mitigate the horrors of war, to humanize or to make less inhuman its methods, and to narrow the area of its consequential evils, is largely due to the policy of American statesmen and the moral influence of American jurists.

The reason why the United States thus early in its young history as an independent Power took so leading and noble a part in the domain of International Law is not far to seek;—it is at once obvious and interesting.

In the first place the United States were born late, in the life of the world, into the Family of Nations. The Common law of England had indeed been imported and adopted by the Colonists in some of the States, but, subject as they then were to the Mother Country, they had no direct interest or voice in International relations, which were entirely within the domain of the Sovereign power. But when the States asserted their Independence, the Laws of the Family of Nations, of which the Republic then became a Member, were bound up with and became in part the justification for its existence as a sovereign power, and assumed for it importance and preeminence beyond the common law itself. Further, the remoteness of the United States from the conflicts of European powers and the wisdom of their rulers in devoting their energies to the consolidation and development of home affairs gave to the American people a special concern in that side of International Law which affects the interests, rights, and obligations of Neutrals; and thus, it has come to pass that American writers have left their enduring

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mark on the Law of Nations touching allegiance, nationality, neutralization, and neutrality, although as to these there are points which still remain indeterminate.

It is substantially true to say that while to earlier writers is mainly due the formulation of Rules relating to a state of War, to the United States,—to its judges, writers, and statesmen,—we largely owe the existing rules which relate to a state of peace and which affect the rights and obligations of powers, which, during a state of War, are themselves at Peace.

On the other hand, while in Great Britain writers of great distinction on International Law are not wanting, and while the judges of her Prize Courts have done a great work in systematizing and justifying on sound principles the Law of Capture and Prize, it is true to say that British lawyers did not apply themselves early or with great zeal to the consideration of International Jurisprudence.

Nor, again, is the reason far to seek. Great Britain had existed for centuries before International Law, in the modern sense, came into being. The main body of English law was complete. The common law, springing from many sources, had assumed definite and comprehensive proportions. It sufficed for the needs of the time. Neither English statesmen nor English lawyers experienced the necessity which was strongly felt on the Continent of Europe—the constant theatre of war—for the formulation of rules of international conduct.

The need for these was slowly forced upon England, and, it is hardly too much to say that, to the British Admiral, accustomed to lord it on the High Seas, International Law at first came, not as a blessing and an aid, but as a perplexing embarrassment.

Notwithstanding all this there is a marked agreement between English and American writers as to the manner in which International Law is treated. They belong to the same school—a school distinctly different from that of writers on the Continent of Europe. The essential difference consists in this: Whereas in the latter, what I shall call the ethical and metaphysical treatment is followed, in the former, while not ignoring the important part which Ethics play in the consideration of what International Law ought to be, its writers for the most part carefully distinguish between what is, in fact, International Law from their views of what the Law ought to be. Their treatment is mainly historical.

By most Continental writers, and by none more than Hautefeuille, what is, and what he thinks ought to be, Law, theory and fact, Law

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and so-called rules of nature and of right, are mixed up in a way at once confusing and misleading.

One distinguished English writer indeed, the late Sir Henry Maine, thought that he had discovered a fundamental difference between English and American Jurists as to the view taken of the obligation of International Law. His opinion was based on the judgments of the English judges in the celebrated "Franconia" case, in which it was held that the English Courts had no jurisdiction to try a foreigner for a crime committed on the High Seas although within a marine league from the British coast. The case was decided in 1876. The facts were these: The defendant was Captain Keyn, a German subject, in charge, as Captain, of the German steamship "Franconia." When off Dover the "Franconia," at a point within two and a half miles of the beach, ran into and sank a British steamer, "Strathclyde," thereby causing loss of life. The facts were such as to constitute, according to English Law, the crime of manslaughter, of which the defendant was found guilty by the jury; but the learned judge who tried the case at the Central Criminal Court reserved, for further consideration by the Court for Crown Cases Reserved, the question whether the Central Criminal Court had jurisdiction over the defendant, a foreigner, in respect of an offence committed by him on the High Seas, but within a marine league of the shore. All the members of the Court were of opinion that the chief Criminal Courts, that is to say, the Courts of Assize and the Central Criminal Court, were clothed with jurisdiction to administer justice in the bodies of counties, or, in other words, in English territory; and that from the time of Henry VIII a court of special commissioners, and, later, the Central Criminal Court (in which the defendant had been tried) had been invested by statute with the jurisdiction previously exercised by the Lord High Admiral on the High Seas. But the majority held that the marine league belt was not part of the territory of England, and therefore not within the bodies of counties, and also that the Admiral had had no jurisdiction over foreigners on the High Seas. The minority, on the other hand, held that the marine belt was part of the territory of England and that the Admiral had had jurisdiction over foreigners within those limits.

While I do not say that I should have arrived at the conclusions of historical fact of the majority, I am by no means clear that the judges of the United States, accepting the same data as did the majority of the English judges, would not have decided in the same way. But however this may be, the views of the majority do not seem to me to

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warrant the assumption of Sir Henry Maine that the case fundamentally affects the view taken of the authority of International Law. What it does incidentally reveal is a constitutional difference between the United States and Great Britain as to the methods by which the Municipal Courts acquire, at least in certain cases, jurisdiction to try and to punish offences against International Law.

An example of that difference is ready to hand. Improved and stricter views of neutral duties constitute one of the great developments of recent times.

These views were (for reasons to which I have already adverted) adopted earlier and more fully in the United States than in England. What was thereupon the action of the Executive? No sooner had Washington, as President, and Jefferson, as Secretary of State, promulgated the rules of neutrality by which they intended to be guided than they caused Gideon Henfield, an American citizen, to be tried for taking service on board a French Privateer, as being a criminal act, because in contravention of those rules. Political feeling procured an acquittal, in spite of the judge's direction.

Later, no doubt, Congress passed the Act of 1794, making such conduct criminal, not (as I gather) because it was admitted to be necessary, but simply to strengthen the hands of the Executive.

I can hardly doubt how the same case would have been dealt with in England.

Assuming the doing of the acts forbidden by Proclamation of neutrality, although infractions of International Law, not to be misdemeanors at common law, and not to have been made offences by municipal statute, the judges (I cannot doubt) would have said the act was yesterday legal, or at least not illegal, and that, municipal law not having declared it a crime, they could not so declare it. According to the law of England a Proclamation by the Executive, in however solemn form, has no legislative force unless an Act of Parliament has so enacted. Parliament has in fact so enacted as to Orders of the Queen in Council in many cases. But assuming the law to be as I have stated, it points to no failure in England to recognize the full obligation of International Law as between states. For, notwithstanding isolated expressions of opinion uttered in times of excitement, it will not to-day be doubted that it is the duty of states to give effect to the obligations of International Law by Municipal legislation, where that is necessary, and to use reasonable efforts to secure the observance of that law.

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In England we have an old Constitution under which we are accustomed to fixed modes of Legislation, and when at last we accept a new development of International Law, we look to those methods to give effect to it. Indeed, that habit of looking to Legislation to meet new needs and developments, even in internal concerns,—a habit confirmed and strengthened in the current century,—has done much to restrain the judges from that bold expansion of principle to meet new cases, which, when Legislation was less active, marked judicial utterances.

On the other hand, things are materially different in the United States. The American Constitution is still so modern that equally fixed habits of looking to Legislation have not had time to grow up. Meanwhile that modern Constitution is, from time to time, assailed by still more modern necessities, and the methods for its amendment are not swift or easy. The structure has not become completely ossified. Hence has arisen what I may call a flexibility of interpretation, applied to the Constitution of the United States, for which I know no parallel in English judicature, and which seems to me to exceed the latitude of interpretation observed by American judges in relation to acts of Congress. I refer, as examples, to the emancipation of the Slaves by President Lincoln during the civil war, which was justified as an act covered by the necessities of the case and within the "war power" conferred on the Executive by the Constitution; and, also, to the judicial declaration, by the Supreme Court, of the validity of the Act of Congress making Greenbacks legal tender, on the ground that certain express powers, as to currency, being vested in Congress by the Constitution, the power of giving forced circulation to paper flowed from them as a desirable, if not a necessary, implication. With us no such difficulties arise. Our Constitution is unwritten, and the Legislature is omnipotent. With you, the Constitution is written, and the judicial power interprets it, and may declare the highest act of Congress null and void, as unconstitutional. With us there can, in the strict sense of the words, be no such thing as an unconstitutional act of Parliament.

I turn now, to the consideration of what characterizes the later tendencies of International Law. In a word, it is their greater, humanity.

When Menelik, Emperor of Abyssinia, was recently reported to have cut off the right arms and feet of 500 prisoners, the civilized world felt a thrill of horror. Yet the time was when to treat prisoners

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as slaves and permanently to disable them from again bearing arms, were regarded as common incidents of belligerent capture. Such acts would once have excited no more indignation than did the inhumanities of the African Slave Trade before the days of Clarkson and Wilberforce. Let us hope that it is no longer possible to do as Louis XIV did in his devastation of the Palatinate, or to do as he threatened to do, break down the dykes and overwhelm with disaster the Low Countries. Let us hope, too, that no modern Napoleon would dare to decree as the first Napoleon did in his famous or infamous *seront brulées* edicts of 1810. The force of public opinion is too strong and it has reached a higher moral plane.

A bare recital of some of the important respects in which the evils of war have been mitigated by more humane customs must suffice.

Amongst them are: (1) the greater immunity from attack of the persons and property of enemy-subjects in a hostile country; (2) the restrictions imposed on the active operations of a Belligerent when occupying an enemy's country; (3) the recognized distinction between subjects of the enemy, combatant and non-combatant; (4) the deference accorded to Cartels, safe conducts and Flag of Truce; (5) the protection secured for ambulances and hospitals and for all engaged in tending the sick and wounded—of which the Geneva Red Cross Convention of 1864 is a notable illustration; (6) the condemnation of the use of instruments of warfare which cause needless suffering.

In this field of humane work the United States took a prominent part. When the civil war broke out President Lincoln was prompt in entrusting to Prof. Franz Lieber the duty of preparing a Manual of systematized Rules for the conduct of forces in the Field—Rules aimed at the prevention of those scenes of cruelty and rapine which were formerly a disgrace to humanity. That Manual has, I believe, been utilized by the Governments of England, France, and Germany.

Even more important are the changes wrought in the position of Neutrals in war times; who, while bound by strict obligations of neutrality, are in great measure left free and unrestricted in the pursuit of peaceful trade.

But, in spite of all this, who can say that these times breathe the spirit of Peace? There is War in the air. Nations armed to the teeth prate of Peace, but there is no sense of Peace. One sovereign burthens the industry of his people to maintain military and naval armament at war strength, and his neighbor does the like and justifies it by the example of the other; and England, insular though she be,

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with her Imperial interests scattered the world over, follows, or is forced to follow, in the wake. If there be no War, there is at best an armed Peace.

Figures are appalling. I take those for 1895. In Austria the annual cost of Army and Navy was, in round figures, 18 million pounds sterling; in France, 37 millions; in Germany, 27 millions; in Great Britain, 36 millions; in Italy, 13 millions; and in Russia, 52 millions.

The significance of these figures is increased if we compare them with those of former times. The normal cost of the armaments of war has of late years enormously increased. The annual interest on the public debt of the Great Powers is a war tax. Behind this array of facts stands a tragic figure. It tells a dismal tale. It speaks of overburthened industries, of a waste of human energy unprofitably engaged, of the squandering of treasure which might have let light into many lives, of homes made desolate, and all this, too often, without recompense, in the thought that these sacrifices have been made for the love of country or to preserve national honor or for national safety. When will Governments learn the lesson that wisdom and justice in Policy are a stronger security than weight of armament?

> "Ah! when shall all men's good
> Be each man's Rule, and Universal Peace
> Lie, like a shaft of light, across the Land?"

It is no wonder that men—earnest men—enthusiasts if you like, impressed with the evils of war, have dreamt the dream that the Millennium of Peace might be reached by establishing a universal system of International Arbitration.

The cry for Peace is an old world cry. It has echoed through all the ages, and arbitration has long been regarded as the handmaiden of Peace. Arbitration has, indeed, a venerable history of its own. According to Thucydides, the Historian of the Peloponnesian war, Archidamus, King of Sparta, declared that "it was unlawful to attack an enemy who offered to answer for his acts before a Tribunal of Arbiters."

The 50 years' treaty of Alliance between Argos and Lacedæmon contained a clause to the effect that if any difference should arise between the contracting parties, they should have recourse to the arbitration of a neutral Power, in accordance with the custom of their ancestors. These views of enlightened Paganism have been reinforced in Christian times. The Roman Emperors for a time, and

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afterward in fuller measure the Popes (as we have seen) by their arbitrament often preserved the Peace of the Old World and prevented the sacrifice of blood and treasure. But from time to time, and more fiercely when the influence of the Head of Christendom lessened, the passions of men broke out, the lust for Dominion asserted itself, and many parts of Europe became so many fields of Golgotha. In our own times the desire has spread and grown strong for peaceful methods for the settlement of International disputes. The reason lies on the surface. Men and Nations are more enlightened; the grievous burthen of military armaments is sorely felt, and in these days when, broadly speaking, the people are enthroned, their views find free and forcible expression in a world-wide press. The movement has been taken up by societies of thoughtful and learned men in many places. The "Bureau International de la Paix" records the fact that some 94 voluntary Peace Associations exist, of which some 40 are in Europe and 54 in America. Several Congresses have been held in Europe to enforce the same object, and in 1873 there was established at Ghent the "Institut du Droit International," the declared objects of which are to put International Law on a scientific footing, to discuss and clear up moot points, and to substitute for the blind chances of force and the lavish expenditure of human life a system of rules comformable to right.

In 1873 also the Association for the Reform and Codification of the Law of Nations was formed, and it is to-day pursuing active propaganda under the name of the International Law Association, which it adopted in 1894. It also has published a Report affirming the need of a system of International Arbitration.

In 1888 a Congress of Spanish and American Jurists was held at Lisbon, at which it was resolved that it was indispensable that a Tribunal of Arbitration should be constituted with a view to avoid the necessity of war between nations.

But more hopeful still—the movement has spread to Legislative representative bodies. As far back as 1833 the senate of Massachusetts proclaimed the necessity for some peaceful means of reconciling International differences, and affirmed the expediency of establishing a Court of Nations.

In 1890 the Senate and the House of Representatives of the United States adopted a concurrent Resolution, requesting the President to make use of any fit occasion to enter into negotiations with other Governments, to the end that any difference or dispute, which could not

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be adjusted by diplomatic agency, might be referred to arbitration and peacefully adjusted by such means.

The British House of Commons in 1893 responded by passing unanimously a Resolution expressive of the satisfaction it felt with the action of Congress, and of the hope that the Government of the Queen would lend its ready cooperation to give effect to it. President Cleveland officially communicated this last Resolution to Congress, and expressed his gratification that the sentiments of two great and kindred nations were thus authoritatively manifested in favor of the national and peaceable settlement of International quarrels by recourse to honorable arbitration. The Parliaments of Denmark, Norway, Switzerland, and the French Chamber of Deputies have followed suit.

It seemed eminently desirable that there should be some agency, by which members of the great Representative and Legislative Bodies of the World, interested in this far-reaching question, should meet on a common ground and discuss the basis for common action.

With this object there has recently been founded "The Permanent Parliamentary Committee in favor of Arbitration and Peace," or, as it is sometimes called, "The Inter-Parliamentary Union." This Union has a permanent organization—its office is at Berne. Its members are not vain idealists. They are men of the world. They do not claim to be regenerators of mankind, nor do they promise the millennium, but they are doing honest and useful work in making straighter and less difficult, the path of intelligent progress. Their first formal meeting was held in Paris, in 1889, under the Presidency of the late M. Jules Simon; their second in 1890 in London, under the Presidency of Lord Herschell, ex-Lord Chancellor of Great Britain; their third in 1891 at Rome, under the Presidency of Signor Bianchieri; their fourth in 1892 at Berne, under the Presidency of M. Droz; their fifth in 1894 at the Hague, under the Presidency of M. Rohnsen; their sixth in 1895 at Brussels, under the Presidency of M. Deschamps; and their seventh will, it is arranged, be held this year at Buda-Pesth. And I need only refer, in passing, to the remarkable Pan-American Congress held in the United States in 1890, at the instance of the late Mr. Blaine, directed to the same peaceful object.

It is obvious, therefore, that the sentiment for peace and in favor of Arbitration as the alternative for war, is growing apace. How has that sentiment told on the direct action of Nations? How far have they shaped their policy according to its methods? The answers to these questions are also hopeful and encouraging.

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Experience has shown that, over a large area, International differences may honorably, practically, and usefully be dealt with by peaceful arbitrament. There have been since 1815 some sixty instances of effective International Arbitration. To thirty-two of these the United States have been a party and great Britain to some twenty of them.

There are many instances also of the introduction of Arbitration clauses in Treaties. Here again the United States appear in the van. Amongst the first of such Treaties—if not the very first—is the Guadalupe-Hidalgo Treaty of 1848 between the United States and Mexico. Since that date many other countries have followed this example. In the year 1873 Signor Mancini recommended that, in all Treaties to which Italy was a party, such a clause should be introduced. Since the Treaty of Washington such clauses have been constantly inserted in Commercial, Postal, and Consular Conventions. They are to be found also in the delimitation Treaties of Portugal with Great Britain and with the Congo Free State made 1891. In 1895 the Belgian Senate, in a single day, approved of four Treaties with similar clauses, namely, Treaties concluded with Denmark, Greece, Norway, and Sweden.

There remains to be mentioned a class of Treaties in which the principle of arbitration has obtained a still wider acceptance. The Treaties of 1888 between Switzerland and San Salvador, of 1888 between Switzerland and Ecuador, of 1888 between Switzerland and the French Republic, and of 1894 between Spain and Honduras, respectively contain an agreement to refer all questions in difference, without exception, to arbitration. Belgium has similar Treaties with Venezuela, with the Orange Free State, and with Hawaii.

These facts, dull as is the recital of them, are full of interest and hope for the future.

But are we thence to conclude that the Millennium of Peace has arrived—that the Dove bearing the olive branch has returned to the Ark, sure sign that the waters of international strife have permanently subsided?

I am not sanguine enough to lay this flattering unction to my soul. Unbridled ambition—thirst for wide dominion—pride of power still hold sway, although I believe with lessened force and in some sort under the restraint of the healthier opinion of the world.

But further, friend as I am of Peace, I would yet affirm that there may be even greater calamities than war—the dishonor of a nation, the triumph of an unrighteous cause, the perpetuation of hopeless and debasing tyranny:

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"War is honorable,
In those who do their native rights maintain;
In those whose swords an iron barrier are,
Between the lawless spoiler and the weak;
But is, in those who draw th' offensive blade
For added power or gain, sordid and despicable."

It behoves then all who are friends of Peace and advocates of Arbitration to recognize the difficulties of the question, to examine and meet these difficulties and to discriminate between the cases in which friendly Arbitration is, and in which it may not be, practically possible.

Pursuing this line of thought, the shortcomings of International Law reveal themselves to us and demonstrate the grave difficulties of the position.

The analogy between Arbitration as to matters in difference between individuals, and to matters in difference between nations, carries us but a short way.

In private litigation the agreement to refer is either enforceable as a rule of Court, or, where this is not so, the award gives to the successful litigant a substantive cause of action. In either case there is behind the Arbitrator the power of the judge to decree, and the power of the Executive to compel compliance with, the behest of the Arbitrator. There exist elaborate rules of Court and provisions of the Legislature governing the practice of arbitrations. In fine, such arbitration is a mode of litigation by consent, governed by Law, starting from familiar rules, and carrying the full sanction of Judicial decision. International Arbitration has none of these characteristics. It is a cardinal principle of the Law of Nations that each sovereign power, however politically weak, is internationally equal to any other power, however politically strong. There are no Rules of International Law relating to arbitration, and of the Law itself there is no authoritative exponent nor any recognized authority for its enforcement.

But there are differences to which, even as between individuals, arbitration is inapplicable—subjects which find their counterpart in the affairs of nations. Men do not arbitrate where character is at stake, nor will any self-respecting nation readily arbitrate on questions touching its national independence or affecting its honor.

Again, a nation may agree to arbitrate and then repudiate its agreement. Who is to coerce it? Or, having gone to arbitration and been worsted it may decline to be bound by the Award. Who is to compel it?

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These considerations seem to me to justify two conclusions:—The first is that arbitration will not cover the whole field of International controversy, and the second that unless and until the Great Powers of the World, in League, bind themselves to coerce a recalcitrant member of the Family of Nations—we have still to face the more than possible disregard by powerful states of the obligations of good faith and of justice. The scheme of such a combination has been advocated, but the signs of its accomplishment are absent. We have, as yet, no League of Nations of the Amphictyonic type.

Are we then to conclude that Force is still the only power that rules the world? Must we then say that the sphere of arbitration is a narrow and contracted one?

By no means. The sanctions which restrain the wrongdoer—the breaker of public faith—the disturber of the peace of the world, are not weak, and, year by year, they wax stronger. They are the dread of war and the reprobation of mankind. Public opinion is a force which makes itself felt in every corner and cranny of the world, and is most powerful in the communities most civilized. In the public press and in the telegraph, it possesses agents by which its power is concentrated, and speedily brought to bear where there is any public wrong to be exposed and reprobated. It year by year gathers strength as general enlightenment extends its empire, and a higher moral altitude is attained by mankind. It has no ships of war upon the seas or armies in the field, and yet great potentates tremble before it and humbly bow to its Rule.

Again, trade and travel are great pacificators. The more nations know of one another, the more trade relations are established between them, the more goodwill and mutual interest grow up; and these are powerful agents working for Peace.

But although I have indicated certain classes of questions on which sovereign powers may be unwilling to arbitrate, I am glad to think that these are not the questions which most commonly lead to war. It is hardly too much to say that Arbitration may fitly be applied in the case of by far the largest number of questions which lead to International differences. Broadly stated, (1) wherever the right in dispute will be determined by the ascertainment of the true facts of the case; (2) where, the facts being ascertained, the right depends on the application of the proper principles of International Law to the given facts, and (3) where the dispute is one which may properly be adjusted on a give-and-take principle, with due provision for equitable compensation,

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as in cases of delimitation of territory and the like—in such cases, the matter is one which ought to be arbitrated.

The question next arises, What ought to be the constitution of the Tribunal of Arbitration? Is it to be a Tribunal *ad hoc*, or is it to be a permanent International Tribunal?

It may be enough to say that, at this stage, the question of the constitution of a permanent Tribunal is not ripe for practical discussion, nor will it be until the majority of the Great Powers have given in their adhesion to the principle. But whatever may be said for vesting the authority in such Powers to select the Arbitrators, from time to time, as occasion may arise, I doubt whether in any case a permanent Tribunal, the members of which shall be *a priori* designated, is practicable or desirable. In the first place what, in the particular case, is the best Tribunal must largely depend upon the question to be arbitrated. But apart from this, I gravely doubt the wisdom of giving that character of permanence to the *personnel* of any such Tribunal. The interests involved are commonly so enormous and the forces of national sympathy, pride and prejudice, are so searching, so great and so subtle, that I doubt whether a Tribunal, the membership of which had a character of permanence, even if solely composed of men accustomed to exercise the judicial faculty, would long retain general confidence, and, I fear, it might gradually assume intolerable pretensions.

There is danger, too, to be guarded against from another quarter. So long as War remains the sole Court wherein to try International quarrels, the risks of failure are so tremendous, and the mere rumor of war so paralyzes commercial and industrial life, that pretensions wholly unfounded will rarely be advanced by any nation, and the strenuous efforts of statesmen, whether immediately concerned or not, will be directed to prevent war. But if there be a standing Court of Nations, to which any power may resort, with little cost and no risk, the temptation may be strong to put forward pretentious and unfounded claims, in support of which there may readily be found, in most countries, (can we except even Great Britain and the United States?) busybody Jingoes only too ready to air their spurious and inflammatory patriotism.

There is one influence which by the Law of Nations may be legitimately exercised by the Powers in the interests of Peace—I mean Mediation.

The Plenipotentiaries assembled at the Congress of Paris, 1856, recorded the following admirable sentiments in their 23rd protocol:—

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"The Plenipotentiaries do not hesitate to express, in the names of their Governments, the wish that States between which any serious misunderstanding may arise should, before appealing to arms, have recourse as far as circumstances may allow to the good offices of a friendly power. The Plenipotentiaries hope that the Governments not represented at the Congress will unite in the sentiment which has inspired the wish recorded in the present protocol."

In the treaty which they concluded they embodied, but with a more limited application, the principle of mediation, more formal than that of good offices, though substantially similar to it. In case of a misunderstanding between the Porte and any of the signatory powers, the obligation was undertaken "before having recourse to the use of force, to afford the other contracting parties the opportunity of preventing such an extremity by means of their mediation." (Article 8.) Under this article Turkey, in 1877, appealed to the other powers to mediate between her and Russia. It is not, perhaps, to be wondered at, considering the circumstances, that the appeal did not succeed in preventing the Russo-Turkish war. But the powers assembled in the African Conference at Berlin were not discouraged from repeating the praiseworthy attempt, and in the final act of that Conference the following proviso (Article 12) appears:—

"In case of a serious disagreement arising between the signatory powers on any subjects within the limits of the Territory mentioned in Article 1 and placed under the *régime* of commercial freedom, the Powers mutually agree, before appealing to arms, to have recourse to the mediation of one or more of the neutral powers."

It is to be noted that this provision contemplates not arbitration but mediation, which is a different thing. The Mediator is not, at least, in the first instance, invested, and does not seek to be invested, with authority to adjudicate upon the matter in difference. He is the friend of both parties. He seeks to bring them together. He avoids a tone of dictation to either. He is careful to avoid, as to each of them, anything which may wound their political dignity or their susceptibilities. If he cannot compose the quarrel, he may at least narrow its area and probably reduce it to more limited dimensions, the result of mutual concessions; and, having narrowed the issues, he may pave the way for a final settlement by a reference to arbitration or by some other method.

This is a Power often used, perhaps not so often as it ought to be—and with good results.

It is obvious that it requires tact and judgment, as to mode, time,

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and circumstance, and that the task can be undertaken hopefully, only when the Mediator possesses great moral influence, and when he is beyond the suspicion of any motive except desire for Peace and the public good.

There is, perhaps, no class of questions in which mediation may not, time and occasion being wisely chosen, be usefully employed, even in delicate questions affecting national honor and sentiment.

I now come to an end. I have but touched the fringe of a great subject. No one can doubt that sound and well-defined rules of International Law conduce to the progress of civilization and help to ensure the Peace of the World.

In dealing with the subject of arbitration I have thought it right to sound a note of caution, but it would, indeed, be a reproach to our nineteen centuries of Christian civilization, if there were now no better method for settling international differences than the cruel and debasing methods of war. May we not hope that the people of these States and the people of the Mother Land—kindred peoples—may, in in this matter, set an example of lasting influence to the world? They are blood relations. They are indeed separate and independent peoples but neither regards the other as a foreign nation.

We boast of our advance and often look back with pitying contempt on the ways and manners of generations gone by. Are we ourselves without reproach? Has our Civilization borne the true marks? Must it not be said, as has been said of Religion itself, that countless crimes have been committed in its name? Probably it was inevitable that the weaker races should, in the end, succumb, but have we always treated them with consideration and with justice? Has not civilization too often been presented to them at the point of the bayonet, and the Bible by the hand of the Filibuster? And apart from races we deem barbarous, is not the passion for dominion and wealth and power accountable for the worst chapters of cruelty and oppression written in the World's History? Few peoples—perhaps none—are free from this reproach. What indeed is true civilization? By its fruit you shall know it. It is not dominion, wealth, material luxury; nay, not even a great Literature and Education wide spread—good though these things be. Civilization is not a veneer; it must penetrate to the very heart and core of societies of men.

Its true signs are thought for the poor and suffering, chivalrous regard and respect for woman, the frank recognition of human brother-

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hood, irrespective of race or color or nation or religion, the narrowing of the domain of mere force as a governing factor in the world, the love of ordered freedom, abhorrence of what is mean and cruel and vile, ceaseless devotion to the claims of justice. Civilization in that, its true, its highest sense, must make for Peace. We have solid grounds for faith in the Future. Government is becoming more and more, but in no narrow class sense, government of the people by the people and for the people. Populations are no longer moved and manœuvred as the arbitrary will or restless ambition or caprice of kings or potentates may dictate. And although democracy is subject to violent gusts of passion and prejudice, they are gusts only. The abiding sentiment of the masses is for peace—for peace to live industrious lives and to be at rest with all mankind. With the Prophet of old they feel—though the feeling may find no articulate utterance—"How beautiful upon the mountains are the feet of him that bringeth good tidings, that publisheth peace."

I cannot end without another reference to the two great divisions —American and British—of the English-speaking world.

Who can doubt the influence they possess for ensuring the healthy progress and the peace of mankind? But if this influence is to be fully felt, they must work together in cordial friendship, each people in its own sphere of action. If they have great power, they have also great responsibility. No cause they espouse can fail; no cause they oppose can triumph. The future is, in large part, theirs. They have the making of history in the times that are to come. The greatest calamity that could befall would be strife which should divide them.

Let us pray that this shall never be. Let us pray that they, always self-respecting, each in honor upholding its own Flag, safeguarding its own Heritage of right and respecting the rights of others, each in its own way fulfilling its high national destiny, shall yet work in harmony for the Progress and the Peace of the World.

RUSSELL OF KILLOWEN.

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PRINCETON COLLEGE AND PATRIOTISM.

It has been remarked by Mr. J. R. Green, in his "History of the English People," that the democratic spirit of the universities was a constant protest against feudalism. Oxford espoused the cause of the Barons against the Crown; and the University of Glasgow was almost annihilated during the Reformation because of its Protestant partisanship. And such a spirit has not only characterized the history of universities in Scotland and in England, but, on the Continent as well, the academic centres have always been the promoters of freedom and progress. This was manifested in the long struggle for democratic government in France, in the war for Italian unity, and at the present in the university towns of Russia where the students have fostered that spirit of enlightenment which is moving mightily toward the establishment of a constitutional government, and the realization of the will of the people. A characteristic instance of the spirit of German scholarship is narrated of the illustrious philosopher Fichte. He was lecturing at the University of Berlin during the stirring scenes of the Napoleon invasion of 1813, the subject of his lecture being that of "Duty." From the theoretical difficulties of the subject, viewed in its purely philosophical aspect, he leads his student audience to a discussion of duty as illustrated in the light of current affairs, eloquently discoursing upon their country's needs, her instant peril, and urging the support of all loyal hearts by service and if necessary by their lives; finally closing with these words,—"This course of lectures will be suspended till the end of the campaign. We will resume them in a free country or die in the attempt to recover her freedom." Fichte leads the way, the students following, and he places himself in the ranks of a corps of volunteers then departing for the army. And in scenes that followed, the great philosopher's life was sacrificed for his country's freedom.

It is but natural that in the storm and stress period of our colonial history the academic spirit of our land should show itself in the loyal support of the early patriots in their struggle for independence. Among the young American colleges, Princeton, with the superb

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figure of the stalwart Witherspoon at its head, was conspicuous in this regard. The relation of the College to the Revolutionary War is not merely its association with Washington's brilliant victory along the Stony Brook and the village of Princeton. The spirit of the Revolution was in the College, and in the hearts of the students, kept alive and fanned into glow and flame by the enthusiasm of their Scotch President, long before the signing of the Declaration of Independence and the first call to arms. The students of Princeton came largely from the Scotch-Irish element among the early settlers of our country, and among them there was a natural feeling of protest and dissent in the affairs of state as well as of church. It was the spirit of the Solemn League and Covenant. The blood of John Knox was in the veins of John Witherspoon, and, in his far distant western home, he too was to lift up his voice against the tyranny of kings. The patriotic feeling of the undergraduates in the pre-revolutionary years is indicated in the sentiments expressed in a letter of James Madison, of the class of 1771, and afterward President of the United States. He writes from Princeton on July 23, 1770, to his friend, Thomas Martin :—

"We have no public news but the base conduct of the merchants in New York in breaking through their spirited resolutions not to import; a distinct account of which I suppose will be in the *Virginia Gazette* before this arrives. The letter to the merchants in Philadelphia, requesting their concurrence, was lately burned by the students of this place in the College yard, all of them appearing in their black gowns, and the bell tolling. There are about 115 in the College and in the Grammar School, and all of them in American cloth."

The entire body of students in American cloth is typical of the College sentiment of that day. There was a solidarity in their stout protest which must have made an impression, as a striking object-lesson, before the gaze of many an American. It was such a spirit that made a nation possible.

In a similar vein, a certain Charles Beatty, in 1774, writes from the College :—

"Last week, to show our patriotism, we gathered all the steward's winter store of tea, and having made a fire in the campus, we there burnt near a dozen pounds, tolled the bell, and made many spirited resolves. But this was not all. Poor Mr. Hutchinson's effigy shared the same fate with the tea, having a tea canister tied about its neck."

Such lessons learned in Princeton must have remained in the mind of Thomas Melville, a graduate of Princeton, who was one of the

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famous "Tea Party" at Boston harbor. There is still preserved a small portion of that historic tea, which was found in Melville's shoes the morning after he returned from this expedition. This was at one time in possession of Chief Justice Shaw of Massachusetts.

Princeton and patriotism in the dark days before the Revolution, and through the perilous times of the war, were synonymous terms. The graduates of each class went forth from their *alma mater* to foster the feeling and inspire the courage which gave birth to the Declaration of Independence. Frederick Frelinghuysen, of the class of 1770, afterward United States Senator, said, on leaving College at the time of his graduation:—"I have learned patriotism in Princeton as well as Greek." Three graduates of Princeton had churches in North Carolina, from whose congregations went forth the so-called "Regulators" who engaged the troops of Governor Tryon on the Alamance. And in Mecklenburg county in the same State, one year before the Declaration of Independence was signed, there were published the famous Resolutions, pledging "life, fortune, and sacred honour" to the country's need. Their author and secretary of the convention adopting them was Ephraim Brevard, a graduate of Princeton of the class of 1768, and in this he was ably seconded by two other Princeton graduates, Balch and Avery of the class of 1766. To the three are especially owing those protestations of freedom which resounded throughout the length and breadth of the Colonies, and, before the echoes had died away, to be caught up again in the ringing words of the Declaration of Independence.

There is a story of the Revolution which is characteristic of the Princeton spirit of that time. One of the graduates of Princeton was rudely aroused from sleep by the owner of the house in North Carolina, where he had stopped to rest, entering his room and exclaiming, "I allow no man to sleep under my roof but a Whig"; the stranger answered, "Let me rest in peace then, for I was graduated at Princeton under Dr. Witherspoon, a signer of the Declaration of Independence." The same patriotic spirit characterized the graduates of Princeton everywhere. Ministers as well as the professional and business men manifested their loyalty with no uncertain sound, pleading the cause of liberty from the pulpit as well as in private. There was a Rev. John Craighead who was graduated in the class of 1763, and settled as pastor of the old Rocky Spring Church, near Chambersburg, Pennsylvania. One Sunday at the beginning of the war he preached a sermon inciting his congregation to enlist in the holy cause

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of their country's independence. At the conclusion of the sermon he threw aside his gown, disclosing a captain's uniform of the Continental army. Then and there a company was raised, all the men of the congregation rising to their feet in response to Dr. Craighead's appeal. They marched forth from the Cumberland Valley with the fighting dominie at their head. Dr. Robert Cooper, a classmate of Dr. Craighead's, and pastor of the Middle Spring Church in Pennsylvania, also enlisted, and for a time was a captain of a company in the war. Over a year before the Declaration of Independence he preached before Col. Montgomery's battalion under arms near Shippensburg, Pennsylvania, a sermon entitled "Courage in a Good Cause," which was replete with revolutionary sentiments.

It was no doubt the influence of Dr. Witherspoon which more than any force contributed to the spirit of loyalty and patriotism among the graduates of Princeton. He himself inspired his colleagues with the courage to sign the Declaration of Independence when they were hesitating to take the momentous step. Perceiving that the House was wavering he rose to the occasion with the stirring words :—

"There is a tide in the affairs of men, a nick of time. We perceive it now before us. To hesitate is to consent to slavery. That noble instrument on your table, which insures immortality to its author, should be subscribed this very morning by every pen in this House. For my own part, of property I have some, —of reputation more. That reputation is staked upon the issue of this contest,— that property is pledged ; and although these gray hairs must soon descend into the sepulchre, I had infinitely rather they should descend thither by the hands of the public executioner than desert at this crisis the sacred cause of my country."

From the outbreak of the Revolution to its close and through the many perplexities of an early life as a Republic, Witherspoon was sacredly devoted to the cause to which he had pledged life and reputation. He was a member of the secret committee of Congress, of the board of war, of the committee of finance, of the committee to procure supplies. He was appointed to confer with Washington on the military cases, when Congress had been driven from Philadelphia to Baltimore, and he was asked with Richard Henry Lee and John Adams to make an appeal to the patriotism of the people at that time.

The battle of Princeton has brought the town and College as well into an intimate historic association with one of the most decisive conflicts of the war. Through Washington's superb strategy and brilliant manœuvering, the victory was won which turned the tide of war in favor of the Colonial army. Nassau Hall, the main College building,—

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named for King William III, of the house of Nassau, because of his spirit of protest and of liberty,—was occupied by the retreating British forces which had been driven from the battlefield by the American soldiers with Stark at their head. The American artillery began to play on the walls of the building, and, so tradition goes, a ball tore from its frame the picture of George II hanging in the Prayer Hall. The garrison within soon surrendered. From that time Princeton was held by the Americans. At the close of the Revolutionary period the National Congress assembled in Nassau Hall, owing to inconvenience incurred in meeting in Philadelphia, due to the importunate demands of certain Pennsylvanian soldiers who considered themselves unjustly treated in the manner of their discharge from service at the close of the war. Dr. Elias Boudinot was President of Congress at that time. On the Fourth of July, the College had a special celebration which the members of Congress attended. Mr. Green of the Senior Class, afterward President of the College, delivered an oration upon the significant subject, "The Superiority of a Republican Government over any other." When the class was graduated that same year, Congress formally adjourned to attend the exercises. There were present on the commencement stage, the whole of Congress, the Ministers of France and of Holland, and Gen. Washington. Mr. Green, the valedictorian, concluded his oration with an address to Washington, who it is said colored perceptibly when thus referred to. On that occasion, Washington gave fifty guineas to the Trustees, which he begged them to accept as a testimony of his respect for the College. This gift was devoted to securing a portrait of Washington painted by Peale of Philadelphia. It now hangs in the same frame in Nassau Hall where once hung the picture of George II, destroyed in the battle of Princeton. Washington is represented in full length, sword in hand, and in the background a sketch of the battle of Princeton with the prostrate figure of Gen. Mercer who was mortally wounded in that engagement. Washington appeared again at Princeton in October of the same year at the request of President Boudinot to give his advice to Congress concerning matters vitally affecting the country's interests, such as the organization of a standing army, of a militia, and of a military school. It was from the residence of Judge Berrien at Rocky Hill near Princeton that he issued his "Farewell Address" to the army.

The most brilliant and imposing assemblage which has ever gathered at Princeton was that of the thirty-first of October, 1783, when Congress assembled in the Prayer Hall of Old Nassau to receive the

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Minister Plenipotentiary from the Netherlands. There were present Washington; Morris, the Superintendent of Finance; and Luzerne, the French Minister. At this gathering the news of the signing of the Treaty of Peace at Versailles was announced. This occasion was only equalled in the early history of the College by that other gathering in the summer of 1824 to do honor to the gallant Marquis de Lafayette, who came to the United States at that time upon invitation of Congress and the National Executive. On his way from New York to Washington he passed through Princeton, accompanied by an escort under command of Gen. John Heard, who was a cavalry officer in the Continental army during the Revolution. Lafayette was entertained by the College; Richard Stockton, a signer of the Declaration of Independence, delivered an address of welcome, and there was a formal presentation to Lafayette of the diploma conferring upon him the degree of Doctor of Laws, which had been voted by the Trustees several years previous, during Witherspoon's administration.

Princeton played an important part in the Constitutional Convention. Her graduates were the leading spirits in its deliberations. Of the fifty-five members, thirty-two were men of college or university training. There were one each from London, Oxford, Glasgow, Edinburgh, and Aberdeen, five from William and Mary, one from the University of Pennsylvania, two from Columbia, three from Harvard, four from Yale, and nine from Princeton. This large representation from Princeton was not by chance, but the result chiefly of Witherspoon's training and the patriotic traditions which were in those years the common heritage of all Princeton men. In this Convention there arose a spirited discussion concerning the proper basis of State representation in the legislative body. Two plans were proposed. One by Randolph of Virginia, which embodied substantially the ideas of Madison, a graduate of Princeton and a pupil of Witherspoon's, was known as the Virginia or large State plan. It provided for two houses, basing representation upon population. The other, or the small State plan, was for one house wherein each State should have equal representation, irrespective of population. This was conceived by Paterson, also a graduate of Princeton, of the class of 1763, at that time Governor of New Jersey, afterward United States Senator, and in 1793 elevated to the bench of the Supreme Court of the United States. Over these two propositions the Convention fought without any prospect of agreement until a compromise was suggested by Sherman and Ellsworth, ably seconded by Davie of Georgia, which

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was substantially the present plan of two houses; representation in one being based upon population, and, in the other, upon the States irrespective of population. Ellsworth and Davie were Princeton graduates of the classes of 1766 and 1776. James Madison united with Washington in securing the acceptance of the New Constitution in Virginia; and in his subsequent political career Madison owed much to the inspiration which he received from the training and the personality of Witherspoon. His biographer, William C. Rives, writes as follows of Madison:—

"We have seen how liberal and expansive a field of inquiry was opened to the students by the additions which Witherspoon made to the previous curriculum of the College. The increased attention paid to the study of the nature and constitution of the human mind, and the improvements which had been lately introduced into this fundamental part of knowledge by the philosophical inquiries of his own countrymen, constituted a marked and most important feature of Dr. Witherspoon's reforms. Mr. Madison formed a taste for these inquiries which entered deeply into the character and habits of his mind, and gave to his political writings in after life a profound and philosophical cast which distinguished them eminently and favorably from the productions of the ablest of his contemporaries."

Mr. Bancroft has referred to the influence of Witherspoon in forming Madison's views on the subject of religious liberty. In reference to the declaration of rights submitted to the Convention of Virginia in May, 1776, Bancroft writes as follows:—

"Only one cause received a material amendment. Mason had written that all should enjoy the fullest toleration in the exercise of religion. . . . A young man, then unknown to fame, of a bright hazel eye, inclined to gray, small in stature, light in person, delicate in appearance, looking like a pallid sickly scholar among the robust men with whom he was associated, proposed a change. He was James Madison, the son of an Orange county planter, bred in the school of the Presbyterian dissenters under Witherspoon at Princeton, trained by his own studies, by meditative rural life in the Old Dominion, and by an ingenuous indignation at the persecution of the Baptists, by innate principles of right, to uphold the sanctity of religious freedom. He objected to the word 'toleration,' because it implied an established religion which endured dissent only as a condescension, and as the earnestness of his convictions overcame his modesty, he went on to demonstrate that 'all men are equally entitled to the free exercise of religion according to the dictates of conscience.' His motion obtained the suffrages of his colleagues. This was the first achievement of the wisest civilian of Virginia."

Dr. Witherspoon's wide-reaching influence in inculcating the first principles of citizenship in the characters of the young men of his day in Princeton will be most clearly recognized and appreciated when we glance at the catalogue of the public positions which were held by the

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men who were graduated during the years of Dr. Witherspoon's administration. Of the four hundred and sixty-nine graduates during these years, one hundred and fourteen were clergymen, thirteen of whom became presidents of colleges; and of the remaining three hundred and fifty-five, one was for eight years President of the United States, one was Vice-President, six were members of the Continental Congress, twenty became Senators of the United States, twenty-three entered the House of Representatives, thirteen were Governors of States, three were Justices of the Supreme Court of the United States, and some twenty served as officers in the Revolutionary army. Witherspoon's administration gave to Princeton not merely a name and reputation, but it placed the College upon that high ground where permanent progress was assured. He was to the College in the earlier period of its history what his honored fellow countryman, Dr. James McCosh, proved to be one hundred years later. The eighteenth and the nineteenth century Scotchmen came to the Presidency of the College in the prime of their lives, and to Princeton they gave the vigor of their mature manhood, the ripened fruit of a wide experience, and the powers of a mighty intellect, all unreservedly consecrated to the training of youth in the service of God and of man. One labored in times of war; the other in times of peace; but both to the same end.

And now as the time is drawing near the one hundred and fiftieth anniversary of the College, which is to be celebrated this month, it is fitting to emphasize the value of Witherspoon's services in the cause of national independence, both as regards that which he rendered directly, and also all that was attained indirectly through his power in inspiring the young men of the land to deeds of patriotism and self-sacrifice.

JOHN GRIER HIBBEN.

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THE AMERICAN BALLOT.

MANHOOD suffrage and vote by ballot have received at least their due meed of praise during the last thirty years as the two greatest bulwarks of political liberty, and therefore as the two great factors in human progress. This was natural, and perhaps not wholly unreasonable, at a time when the ideas were comparatively new and the results that might be looked for from their operation were matters rather of abstract reasoning than of actual experience. Now, however, that we are nearing the close of the century in which these, as well as other political experiments, have been extensively tried in practice, we ought to be in a position to estimate with greater accuracy these much-praised inventions for the political advancement of society.

To do this with any degree of success it is first of all necessary to understand clearly the nature of the political objects at which we aim, as it is only in this way that we can form any useful estimate of the success or failure of the means that have been devised for their attainment. It may perhaps be assumed that there are few persons who really believe that either manhood suffrage or vote by ballot are necessarily in themselves blessings to humanity, or the only methods conceivable by which popular liberty can be secured or good government maintained. It will probably be admitted that the right of every man to exercise a vote can only be considered a right so long as in practice it benefits either himself or other people; as it is evident that when it ceases to do this the so-called right of the individual becomes merely an instrument of wrong both to himself and to the community at large. The method of secret voting known as the ballot can only be looked upon as an advantage so long as it is found that in practice it tends to make the voting itself a more intelligent and effectual means of securing good government. Should it ever become evident in any country that manhood suffrage means merely the supremacy of the rogues and the fools of the community, it will have been demonstrated that so far as that country is concerned, at any rate, manhood suffrage is a failure. Should it become open to proof that the system of vote by ballot in force in any country does not secure the honest and intelligent expres-

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sion of the mind of the people, it will then have become clear that the system requires either ending or mending. These things indeed should go without saying, but it may be feared that the English-speaking races at any rate have for the most part learned to regard popular elections, as we practise them, with a kind of reverence which is in some danger of degenerating into a superstition. They have fallen into a habit of accepting it as a fact that in matters political the mind of the majority must be the mind of wisdom, and that so long as everybody has a right to exercise a vote by ballot we have done all that humanity can do to secure the highest expression of political intelligence. In this there is danger.

It is true, indeed, that generally speaking the instincts of civilized men are substantially sound on large and plain questions of good government unless they are upset by sudden excitements or perverted by the schemes of cunning politicians. While such is the case the most universally reliable safeguard of liberty and good government may be looked for in the maintenance of such a system of election to public offices as will give free scope to these instincts, and so far as possible discourage and counteract the schemes of these politicians. It needs but a slight acquaintance with the American politics of to-day to convince any observer that for some reason this safeguard either does not exist at all or is at least singularly inoperative. It would seem to be a fact upon which nearly all are agreed that a large and very intelligent class of citizens is as a rule conspicuous by its absence from the polls at elections, and that the members of the same class are not generally available as candidates for offices of public trust. This class embraces, with comparatively few exceptions, the men whose wealth renders them influential, whose business character, experience, and talents make them looked up to by their fellow men, and whose interests in all that pertains to legislation and good government render it impossible to suppose that their practical withdrawal from politics can arise from a want of appreciation of their importance to themselves.

As a consequence of this, it is said, American politics are corrupt. They have fallen, and are falling more and more into the hands of a class of persons who make a trade of managing the affairs of the community, and who use that trade with more or less open effrontery as a means of money-making for themselves and friends. An election is no longer an appeal to the people, whose instincts may as a rule be trusted to know the distinguishing marks of a good and a bad man, and without much hestitation to reject the one and choose the other;

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but to the little ring of party bosses who exist by the support of men who must be bought in one way or another, and who therefore cannot if they would, be honest or public-spirited. It follows that a Caucus is but a private hatching place for schemes which aim at the advancement of individual under the name of party supremacy, and that a Convention is after all but an enlarged caucus with a veil of greater decency thrown over proceedings which are instigated by the same men and actuated by the same motives. From such beginnings it is evident that no good thing can be expected to come, and it need be no surprise that the evil is already wide-spread and manifest. In the municipality, in the State, in the Union at large, the system has spread and is spreading to an extent which may well render good citizens alarmed for the future of a country which appears to be given up to the control not of its best but of emphatically its worst because its most cunning and self-seeking citizens.

In looking for a remedy for such a state of things it is natural, indeed it is necessary, to turn to the one existing element in which men have still reason to confide as at least sound in its instincts, and this element in the problem is the great mass of the people. They, at least, have nothing to gain by misgovernment; they, at any rate, while they may be deceived and made use of, have no interest in the deception and no purely selfish ends to serve by using others. For a time, indeed, they may be imposed upon by high-sounding talk of party loyalty, but they, or at least a section of them, are certain to awake to the perception that a purifying change in the administration of public affairs is of more importance than loyalty to party watchwords or adherence to party leaders. When the awakening comes it is all-important that it should be found possible to give prompt effect to the new-born convictions of those who have awakened. In such a state of things a failure is apt to be a disaster indeed. Nothing is so hard to hold together as a protesting minority in favor of public spirit and good government, in opposition to widely-organized selfishness and far-reaching corruption, and a failure at first may lead to an increase of the evil rather than an emancipation from it. Hence it is all-important that there should be a trustworthy provision for enabling the people,—as distinguished from the mob, which now and always will be found ready to follow the bosses (so long as bosses continue to exist) to the polls,—to give prompt expression to their wishes. This brings us face to face with the question of the efficiency or otherwise of the system of actual election which prevails in the country and the extent

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to which it may be relied upon to assist the cause of freedom as opposed to management.

The strongest argument in favor of secret voting has been from the first that it was a system which emphatically made for liberty. It was felt that while it might be decried on the ground that it evidenced, and even fostered, a spirit which was cowardly and might become deceitful, this and all other objections were more than counterbalanced by the protection which it extended to the weak against the strong—to the freedom of action of the individual in opposition to the overpowering influences which wealth, position, and influence might enable others to bring to bear upon him. In the first instance it was naturally supposed that such influences would be resorted to by individuals who might stand in the relation of landlords or employers to men entitled to the franchise, but in principle it is clear enough that organizations and parties might require to be as jealously guarded against if the freedom of the individual was to be ensured. This it was that was kept steadily in view by those who framed the system of secret voting which took its origin and name from Australia; and it is this feature,—the essential and cardinal feature of the system,—which has been more and more lost sight of in the various amendments which have had the effect of turning the Australian into the American ballot system. It may be that the design has not been a deliberate one, though there are many indications that each change has been actuated by purposes wholly foreign to the genius of the original scheme; but, whether deliberate or otherwise, the results have been the same, and the American ballot of to-day is opposed to freedom of individual action in politics almost as essentially as the system from which it sprang is in favor of it.

The two most essential characteristics of any effective system of secret voting when applied to the registration of large numbers of votes must be inviolable secrecy and perfect simplicity. On the first point all parties in the state are at least professedly agreed, and on the second it is probable that no one would admit that there could be any difference of opinion; yet the most superficial examination of the system pursued shows that every step which has been taken to alter the simple Australian plan into its improved American representative is a step which, by destroying simplicity, directly tends, and appears to be designed to tend, toward the destruction of freedom of choice on the part of the individual voter. The charge is a serious one, and it is seriously made. It means an indictment of the party leaders in this country on the charge of aiming at the extinction of the liberty of the people in

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the choice of their rulers, and the substitution of a bastard freedom to choose between political organizations, and to assist in giving effect to the schemes of political tricksters. Rightly understood it is difficult to imagine a greater act of treason against the country than this. The traitor who betrays his country to a foreign enemy brings death and ruin, it may be, upon thousands, yet the nation that suffers from war, even if unsuccessful, need not be degraded though unfortunate; but the citizen, who, for purposes of aggrandizement for self or party, tampers with the freedom of the people, saps the very foundations of public virtue and undermines the whole edifice of public confidence.

The system of the Australian ballot was adopted in America professedly on the ground of its superiority over other systems for securing the freedom of the voters and the purity of elections held under its provisions. In Australia it retains those features wholly unimpaired today, and no politician there has yet been found bold enough to propose in any degree to tamper with a system which experience, extending over some thirty years, has endeared to the people. The system, as established in all the colonies of the Australasian group, may be said to consist of three parts, each one of which is designed, and would seem to be essential, to secure intelligent individualism in the selection of candidates, and entire simplicity and consequent rapidity in the actual process of voting. These are, first, the provision for registration, by which the right of the electors to exercise a vote is recognized; next, the process by which candidates for any office are nominated so as to become eligible for election; and, lastly, the method by which the actual voting is accomplished. With respect to the registration of persons entitled to exercise the right of voting in any district, the essential principle of the Australian system is that it is the public and not the elector, or the party to which he may chance to belong, that is interested chiefly in seeing that every one entitled according to law to the franchise in any district is publicly placed upon the roll of electors. It is not therefore left to the would-be voter to claim registration, but in every district a permanent official is appointed whose duty it is, with the assistance of the police, to enter upon the district roll the name of every person entitled to vote, and to remove from it the name of every person no longer entitled. The rolls thus compiled are publicly advertised, besides being exposed for public inspection at certain places within each district for a month before they are submitted for confirmation to the court, which sits, under the presidency of one of the regular permanent judges, to hear all objections either to the inclusion or ex-

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clusion of names. Of these objections due notice in writing must be lodged by the person aggrieved with the district registrar, and that officer may either admit the error or contest the right claimed before the court. In all cases of contest no one can be heard but the claimant himself, parties being wholly unrecognized in all such matters in Australia, and should a claimant make good his contention before the court costs are allowed against the registrar, while in case of failure the court will award costs against him in favor of the official. The electoral roll thus settled by the court is not afterward open to challenge in any particular, and at an election no question can be raised as to the right to vote of the persons enrolled.

It is held in Australia an essential to simplicity of election and to a really intelligent individualism in the selection of the persons to be elected that there should be a regular nomination of candidates sufficiently long before an election to enable the electors to ascertain the opinions of candidates on public questions, so that there may be no difficulty on the part of the voters in making up their minds beforehand as to whom they shall support. This, which was formerly done by public nomination at a meeting of electors, is now done by notice in writing, signed by a certain number of electors of the district, and addressed to the returning officer a certain number of days before that fixed for the election. These nominations are publicly advertised in the newspapers, and only the names of persons thus nominated can be voted for by any elector.

An election in Australia is a simple and expeditious process. It is not considered either necessary or desirable to make election days holidays, and it has never been found that even the smallest difficulty was experienced by voters in taking part in an election owing to the loss of time involved in attendance at the polling place. Two things mainly contribute to this result—one is that in Australia no two issues are ever mixed at a single election. If the election be for members of the legislature it is never mixed up with an election to any other office whatever; if for any other office, as for instance a mayor, it is never held at the same time as that for members of the legislature. The other reason for the comparative rapidity of the polling is to be found in the extreme simplicity of the operation itself. An Australian polling booth is a temporary erection with doors in front and behind. Where the constituency is large the booth may be divided into a number of compartments each representing so many letters of the alphabet with a front and back door for each. On entering the voter is confronted by the returning officer or his deputy, who, seated at a

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table on which stand the ballot boxes, has before him the electoral roll of the district. The voter's name is demanded and found in the roll and he thereupon receives from the returning officer a ballot paper marked with the initials of the official, and his name is erased from the roll. He passes at once into one of the separate compartments provided, and there it is a work of but a second or two to prepare his ballot. On the paper itself there is nothing but a list of the names of the candidates in alphabetical order, and at the bottom a note directing the voter to erase with the pencil provided all the names he does *not* wish to vote for, leaving no more names than the number of persons to be elected. This can be done in a moment, where, as is always the case, the candidates are already well known to the voters, and no confusing considerations of party claims or fantastic party emblems are admitted to divert the voters from the personal issue.

In this way it is that an Australian election is no elaborate function involving a cessation of business, with all the objectionable surroundings of idle voters and busy paid agents of parties or candidates, whose very existence is a menace to freedom of choice and purity of election. Under its operation a single polling booth can be made easily to accommodate eight or ten thousand voters between eight in the morning and four in the afternoon, and the result of the voting—thanks largely to the simple expedient of obliterating instead of marking names—can be ascertained speedily and with certainty. One thing, indeed, the Australian system does not do—it in no way lends itself to party or machine politics, and it is absolutely opposed to everything that can lend an excuse to the use of money in connection with elections. So stringent, indeed, are its provisions in this respect that the courts might almost be depended upon to invalidate any election where it was shown that any subscription for election expenses had been made on behalf of a candidate, or where a candidate himself could be shown to have paid for anything except advertising in the newspapers, a committee room on the day of election, and a day's wages for one representative in each polling booth. These expenses are recognized by law in Australia, and all others are sternly prohibited.

Turning from the real system of the Australian ballot to that which, under its name, has taken its place in America, no one can help being struck by the fact that there is hardly one important feature which has not been altered; nor can it be seriously questioned that every one of the alterations made has been in the direct interest of corrupt politics, or at any rate of a political system which destroys the influence of

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honest individual opinion, and substitutes for it the edicts of party managers and machine bosses. Individual opinion is discouraged to the verge of obliteration in American politics, and it is the almost openly expressed object of the system so to discourage it. The party and not the voter is as far as possible made the unit of political influence and the source of political power. And this principle may be traced through every stage of the electoral process and in every working of the electoral machinery of the country. It is the party and not the people at large that is supposed to be interested in the due registration of voters, or rather in the registration of voters, rightly or wrongly, who can be depended upon to vote for the party ticket and hope to profit by the corrupt largess dispensed by the party leaders. It is the party, and not the state representing the people at large, that pays all costs and expenses entailed by the contest as to what party emblem shall be disgraced by the greatest number of bogus voters. It is the parties, through their net-work of unscrupulous agents, that pile up the preliminary electoral expenses to such dimensions as to render it hopeless for any but a very large party, possessed of great financial resources, to enter upon a contest with the smallest hope of success.

The mere announcement of the money cost of an electoral campaign in the country at large, in a single State, or within the comparatively narrow limits of a single city like New York, Philadelphia, or Chicago, would fill the mind not only of an Australian, but of the citizen of any other country where popular election is recognized, with amazement and horror. It is no secret that candidates for office have been expected largely to forestall their expected salaries as the price of the support of their party, and this not as an exceptional thing but as a well-recognized and, indeed, an essentially necessary feature of the system. Nor can it be wondered at, for as the system stands it is essential. Government by party, when carried to its extreme and it may be legitimate results, involves a system of "spoils" throughout which no legislative enactments will ever altogether suppress, and any severe blow that could be struck at corruption in electoral matters would undoubtedly be found to threaten with destruction party rule and party combinations as they exist to-day in this country.

Passing, however, from the preliminary arrangements where parties engage in an indecent struggle for the registration of the greatest possible number of votes that can be depended upon, to the actual working of the ballot, the same principle of sinking individual freedom in a party tyranny is apparent as the leading feature of the system. Complaints

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have been made that in spite of the many facilities given for voting, it is frequently no easy matter to register a vote even after the sacrifice of a whole day for that object. An Australian would be utterly unable to comprehend the difficulty until he was shown a ballot paper, and then he would be equally unable to understand how even a small part of the voters ever reached the polling booth. Two years ago each elector in New York was presented with fully thirty separate ballot papers when he came to vote, the mere reading of which might easily have afforded an intelligent person from a quarter to half an hour's amusement; now by way of improvement he receives a document which is humorously termed a "blanket" ballot, and is a combination of the pictorial with the literary curiosity. This document measures about twenty-four inches in length by eighteen in breadth and contains a hundred and forty-nine names submitted in a series of variations and permutations to the bewildered voters at the dictation of no less than eleven different party organizations. In addition to this the voter is offered the privilege of forming a party of his own and voting for a ticket of his own composing by at once nominating and voting for any person real or imaginary he may choose to name. The eleven so-called regular tickets, or in other words party dictations to the electors, are headed by portentous symbols and labelled with the title of the party which these hieroglyphics represent. Thus the voter is confronted by eagles, stars, ships, roosters, anchors, and fountains, with an invitation to cut the Gordian knot of utter perplexity by marking a cross within the circle conveniently placed under the symbol and swallowing at a mouthful the ticket of a little ring of party bosses.

The result of such a system of balloting is not open to a moment's doubt, and to give its authors credit for any intention but that of handing over the electors bound hand and foot to the dictation of parties would be to acquit their moral, at the expense of their intellectual, qualifications. It is conceivable, indeed, that a man of high intelligence and a strong sense of personal responsibility might pause and try to weigh the opposing suggestions of the various parties as to the men best fitted for election to the various offices to be filled up, but if there were many such persons in any district the vast majority of the voters would never reach the polling place within the appointed hours. Practically, however, there is no fear of this. The voter who desires conscientiously to select and vote for the best man for an office of solemn trust rather than to endorse the selection of a small clique which experience has shown over and over again to be corrupt and

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self-seeking is entirely out of place in such a system, and he knows that he is so. The polling places are not blocked by such men as these, hesitating in the interests of honesty and good government between rival candidates. Sometimes, indeed, they are blocked even as it is; but it is not intelligence but ignorance that retards the operation of registering the edicts of this boss or that. This indeed is not the boss's fault but his misfortune. In the meantime public opinion is hardly advanced enough to tolerate the improvement of leaving no place for the insertion of the voter's cross mark but the little ring which indicates the straight ticket, but that too may come in time; indeed it would save time and probably would make but little difference in the results if it came at once. Already the individual voter has little or no practical freedom of choice, and it cannot be wondered at if the men who feel that in the privilege of electing rulers and legislators there is comprised a trust which is second to none in its importance and solemnity, refuse to take part in a pretence and a mockery.

Strangers in the United States wonder that her ablest men are not her public men; they are astonished to find that her legislature is filled with men who are not prominent and do not in other directions hold the highest place in the opinion of their fellow citizens; the explanation lies in the fact that party politics afford no congenial field to the really able and highly honorable citizen. The man who has to gain his position by securing the confidence of a ring of professional politicians, and to retain or advance it by dickering with bosses and compromising with dishonest legislation, has ceased, in matters political at any rate, to be an honest man long before he can hope to obtain a foremost place in the politics of America. As yet the home of the Australian ballot is free from these evils. As yet party tickets and party bosses are as unknown in Australia as are professional politicians and corrupt party rings, and so long as the community clings to the principles embodied in its electoral laws it is likely to continue so. When this great country grows weary of being managed by the most cunning rather than governed by the most able of its citizens; when it awakens to the degradation which everywhere waits upon corrupt government, and sees that in public as in private affairs honesty is emphatically the best policy, it will do well to examine the whole foundations and fabric of its electoral system, and adopt something like the true Australian ballot in the place of the counterfeit article imposed upon it under that name.

HUGH H. LUSK.

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ROBERT SCHUMANN A LYRICAL POET.

THE musician, like the poet, is characterized by strong passion, exquisite sensibility, and delicate taste. He also, like the poet, draws his inspiration from life, with this difference however,—that, with the true musician, the primal moving influence is not the external world, but the deep life within himself, the powerful and uncontrollable emotions of the soul. Bach, Mozart, Beethoven, and Wagner, the great pioneers in the domain of music, may serve as illustrations of this rule. Now, there are individuals in whom the fusion of the poetic and musical elements is so perfect that it is extremely difficult at a first glance to trace their point of union. Robert Schumann is undoubtedly the most striking example of such an organization. In him the poetic and musical, the emotional and intellectual, elements were wonderfully blended; yet, judging him by the rule which I have just quoted, he was, strictly speaking, a poet and not a musician. When I consider the productions of Schumann in their entirety (and I refer here more directly to his independent instrumental compositions, which were purely his own invention) I recognize in him one of the greatest lyrical poets of Germany, who, owing to the intense fervency of his nature, chose *tones*, instead of *words*, as his medium of expression. What then do these tones of Schumann express? the reader will ask. This question can best be answered by an illustration in the form of a comparison taken from the poems of one who, in many respects, resembles Schumann very closely.

It was said by contemporaries of Robert Burns, that to hear that poet recite one of his own productions was a revelation never to be forgotten. We are told of the wonderful modulations of his voice, always attuned to the subject of inspiration, and suited in inflection and compass to the slightest gradation of thought and emotion. Even we who read these moving poems can but faintly conjecture how marvellous must have been that voice which could utter with such irresistible pathos the pleading accents of love, echo through deepest sympathy the plaintive tremolo of a bird, or burst into a peal of thunder when the subject of inspiration was some scene of battle. Let us imagine for a

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moment that we were in an audience which Burns sometimes favored, and could listen to the bard's own recitation of the "Battle of Bannockburn." Let us suppose furthermore that we were so far removed from the eloquent poet himself that, while we were unable to distinguish the words themselves, we should nevertheless hear the eloquent tones with which they were delivered.

How shall I attempt to describe the effect of that first verse which epitomizes in itself a whole volume of Scottish history? What breathless haste, what increasing agitation in those short, hurried accents! How fearful the exertions of Bruce to relieve his pent-up heart upon which at this critical moment all the memories of the past are crowding in one overwhelming volume, choking his utterance and making him gasp for breath! And with what a cry at last does Bruce unburden the swollen current of his emotions!—

"Welcome to your gory bed,
Or to victory!"

It is the cry of a man who is summoning all his strength for the supreme effort of his life; the cry of an indomitable leader who is about to fight with the energy of despair.

The second verse is like the loud alarum of drums. With what a roar the first line bursts upon the ear!—

"Now 's the day and now 's the hour."

How fearless the tones with which Bruce tears away the curtain from before the very front of battle, exposing it in all its terrors! Where again shall we find so graphic a delineation of battle in tones of such startling reality? In the third verse we hear the scathing tones of contumely which pursue the coward fleeing before the hail-storm of battle,—tones like the sharp, icy blast of the whirling hail-storm itself. In the fourth verse what ringing, penetrating notes of command, soul-compelling trumpet-tones which sink into every manly heart, nerve the arm of every freeman, and draw forth every sword from its scabbard! In the next verse the voice of Bruce is answered; it is borne to our ears as if supported by a vast chorus, a chorus which shapes itself into a hymn of battle. In the last verse we hear the sounds of the fray, the yells of fury and the exasperation of that wild multitude, echoing in the words of Bruce, and culminating in one united, determined cry like a thunderbolt,—

"Let us do or die!"

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Now, even though we did not know the title of this poem, would not these verses, when delivered with the rapidity, power, and fury of the whirlwind, suggest some scene such as that which is actually described? Knowing the title, however, the voice of Bruce, as it labors under the all-controlling excitement induced by the circumstances of the time and the place, will excite in us sentiments, ideas, and images kindred to those with which this poem abounds. I have not spoken of the words of the poem, but of the tones with which I conjecture Burns himself might have delivered them. So great is the power of human eloquence; and it is this eloquence, the quintessential element of the lyrical poem, which Schumann gives us in his music. He, too, like Burns, was primarily inspired by some *idea* or *event* which took complete possession of him. Burns, owing to the crystalline clearness and flashlike rapidity of his thoughts, was enabled to stamp his ideas indelibly into words. Upon Schumann, however, at the moment of inspiration, all the ideas and feelings inspired by the subject rushed at once in such rich profusion as to completely overwhelm him. He could find no time for words; but was compelled at once to seek utterance in the intensified *accents* of speech, in the tones of which I have just spoken.

It is true that, at a first glance, such an expression of the poetic idea in tones merely would seem extremely unsatisfactory. But let us look more closely into the matter and consider for a moment, that—barring Schumann, who occupies a unique position in this respect—the lyrical poet bequeaths to us nothing but the written word, the bare framework of the idea. Now, this written word must be converted into the sound for which it stands; the images which are embodied in it must once more be awakened into life; the emotions which here lie dormant must be expressed with all the fervor and intensity with which they once stirred the heart of the poet himself. All this must be done before the effect intended by him can be produced. But the gift of true eloquence is extremely rare. He who possesses it must not only have the power of insight in a high degree, but a wonderful voice as well, or a complete mastery of other instruments of interpretation. What this implies becomes apparent, when, glancing over the whole field of interpretative art, we consider the extremely small number of those who may be said to have received their diploma directly from nature. Some time ago, the writer listened to a recitation of Burns's poem, "Lady Isabella's Lament." He had been led to expect a true revelation of the beauties of this production. What was his disap-

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pointment, however, when he heard this exquisite little poem rendered in the conventional, pulpit-like tones, and spiced with that everlasting sentiment of impotent longing, which is so barren of ideas and so completely devoid of real human passion!

"Raving winds around her blowing,
Yellow leaves the woodlands strowing—
By a river hoarsely roaring,
Isabella stray'd deploring—
'Farewell, hours that late did measure
Sunshine days of joy and pleasure;
Hail, thou gloomy night of sorrow,
Cheerless night, that knows no morrow!'"

Behold how the poet within a few brief lines has here wrought all nature into a perfect frenzy. We hear the raving Demon of the Wind mercilessly blowing about the lonely wanderer. Mingling with the sound of the wind we hear the dry rustling of the storm-swept leaves as they are whirled through the dreary and deserted autumn forest. The turmoil and confusion of the elements increase with fearful rapidity. The deep-swollen river blends its hoarse, loud roar with the wild chorus; but the climax is not yet reached, for the loud-swelling symphony of nature which the poet has evoked pinnacles in a cry of human distress. Surrounded by all the elements in their fury, a forlorn woman enters distractedly upon the scene. Wringing her hands in the abandon of her grief, she strays through the deserted halls of the forest. Her voice blends in sympathy with the loud "lamento" of nature. It rises upon the wings of the gale in wailing accents of regret. Its dying cadence is heard as she consigns herself to the wild companionship of the elements.

I have cited this verse to illustrate to how great an extent the poet must rely upon the interpreter to reanimate the written word; and only when we realize this fact do we begin to appreciate the importance of the element which Schumann has given us; for each of his compositions is an original, lyrical poem, transmitted to us as it was conceived *at the very moment of inspiration.* Here are combined all those elements of expression of which the eloquent orator avails himself,—the modulations of the voice, its dynamic shadings, the rhythm in its minutest ramifications, the subtle gradations of time, and pauses more eloquent than speech itself. If the words be lacking, therefore, in the poems of Schumann, we see that he has given us all those rich elements of expression which are almost totally lost in the written poem.

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The text of Schumann, if rightly read and properly construed, will be found to be literally strewn with marks, all pointing to eloquent delivery. Furthermore I believe that, when this text is properly interpreted, the ideas which the poet intended to convey will frequently be presented with remarkable clearness and distinctness. This is true more particularly of those compositions in which the subject treated is simple in itself. As an illustration I shall choose one of the "Fantasy-pieces." We all know that Schumann has adorned many bright pages with the charming tales of childhood, and the little piece entitled "Fabel" ("Fable") undoubtedly belongs to this class. If we carefully follow the text and trace the relation between the different parts, the story upon which this extremely simple little poem is based at once suggests itself. Here is a general outline of the various themes as they are presented: A mother's advice to her child not to stray into the dark forest alone; the playful little one carelessly tripping about, unmindful of the mother's words; the injunction of the mother repeated, but of no avail; the catastrophe; the moral. In the first phrase the accents are simple, such as one might use in speaking to a child. It is the warning counsel of the mother. We hear her voice rising in solicitous, impressive tones, and notice the stress laid upon the last syllables. In the next movement we see the child gaily tripping about. The lightness of the movement is indicated by the "staccato"; the waywardness and giddiness of the little one by the turn of the notes. In the following phrase we again hear the admonition of the mother. It is given in a higher key (a fifth above); moreover, it is twice repeated. But the little wanderer no longer hears the mother's call. We see her playfully skipping away (for the second theme is here again introduced). Farther and farther she strays, but suddenly all her gaiety changes into alarm. She has lost her way. For a moment we hear the ominous sounds that precede the flood of tears. The next instant we see the child running through the woods weeping aloud in her distress; and as she strays deeper and deeper into the gloomy shades her agitation increases. She runs frantically to and fro, screaming with terror. She calls aloud in a voice shaking with fear. "O mother, mother!" she seems to say; only a strange echo replies as if in mockery from the mysterious depths of the woods. And now we hear the voice of the poet; for in the long passage which follows he seems to say, "Thus the child wandered and wandered through the intricate mazes of the gloomy forest, encountering many hardships, until overcome with fatigue," etc. Where the moral is introduced at

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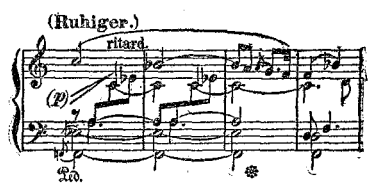
the end, the poet admirably preserves the tone of the fable and carries us back by slow degrees to the beginning. The order in which the story began is reversed. The tripping, playful rhythm is first introduced as if the poet would say, "Such is the story of the child," etc. The first theme then appears again and our attention reverts to the unheeded advice of the mother. The accents become fainter and fainter. Slowly and softly the story dies away to find an echo in the hearts of the little listeners whom the poet always loved so tenderly.

The simplest and humblest incident of life is interesting and sympathetic to the true lyrical poet, and even the author of "Faust" has portrayed just such a story as the above in the little ballad entitled "Die Wandelnde Glocke" ("The Wandering Bell"). I have chosen this poem "Fabel" to illustrate my point, for the reason that, while the subject treated is extremely simple, the various elements of expression of which I have spoken are here very clearly presented. There is a passage in the piece entitled "Arabeske" which may also serve as an excellent illustration of the extreme nicety with which the most delicate shades of thought are expressed in Schumann's poems.

The dialogue form is unmistakable in this piece, and at a first glance, owing to the grace, lightness, and sprightliness of the opening movement, we might be led to believe that the dialogue in question is one of such extreme delicacy as that between "The Youth and the Brooklet" in Goethe's poem of the same name. As we penetrate deeper into the spirit of the piece, however, we find that it suggests something far more tangible and definite. It is as if we were carried into some quiet rural retreat. A simple lassie has been chiding her erring lover. She has listened to his defence (in Minore 1, in which the same theme is constantly reiterated with greater vehemence). In the passage quoted above she begins to speak again in a wavering, doubtful voice as if she were but half convinced. How peculiarly the first movement which began so glibly is gradually introduced in this passage! How much is expressed by the elements of eloquent delivery which are here so profusely indicated!

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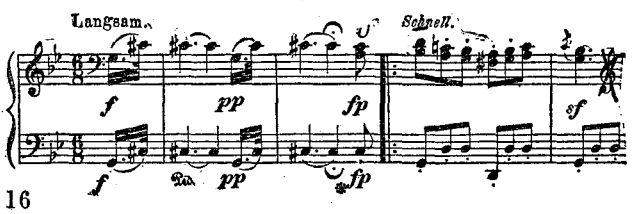
Thus we see that Schumann has given us, first, the sounding, thought-impregnated accents of speech; and, second, all those elements of eloquent delivery which are hidden in the written poem. But this is not all. The entire structure of Schumann's productions is that of the lyrical poem. It is impossible in this article to enter into a close technical analysis of them; I shall therefore merely touch upon salient points.

As soon as the compositions of Schumann are construed in a purely poetic sense, many peculiarities of style, many symbols, indeed, which have hitherto had a rather vague signification, will be found to have been employed for a perfectly clear and definite purpose. I have spoken of the accents of speech. Now, those accents, if the tones of which they are composed are properly condensed, resolve themselves into the accented and unaccented syllables of the poetic metre, the thesis and arsis. Upon the musical page, however, these, the principal subdivisions of the metre, would frequently be obscured. To obviate this difficulty Schumann has resorted to a very ingenious device. I refer to the accent-marks with which his pages are thickly strewn. By means of these he has, in my opinion, sought to give prominence to the principal subdivisions of the poetic metre. As the artist, however, employs an infinite number of dynamic shades, so Schumann was compelled to introduce a great variety of accents. Now, if the reader will bear in mind that all these accents are not only relative to one another, but relative also to the character of the piece in which they occur, he will perceive how admirably Schumann has accomplished his twofold purpose of indicating the poetic metre and all the dynamic shades at the same time. But this is not all. The most noteworthy feature about these accents is this: that Schumann, by means of them, was enabled to considerably augment the strength of those beats of the musical measure which are usually unaccented, thus giving clear and definite expression to the arsis which would otherwise, in many instances, be entirely lost; for it is needless to say that the arsis, although called the unaccented syllable of the poetic metre, demands a much stronger emphasis than the unaccented beat of the musical measure. A few brief examples must suffice to illustrate this.



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How tamely this stirring ballad would sound were it not for the accent which marks the arsis! What vim this accent imparts to the whole piece! First we hear a solitary voice; a pause ensues; and then, as if at the given signal "All together," a rattling chorus breaks forth, sung by the lusty voices of sailors. An effect almost identical with the above is produced at the beginning of that rousing ballad, the "Scherzo" of the D minor symphony. No composition furnishes better proof of the importance of Schumann's accent-marks than that unique composition, the "5th Novelette." He has strengthened the arsis here, until it becomes almost equal to the thesis. This, in addition to the peculiar movement, produces an effect as if the rhythm were stamped by the hoof-beats of horses. Indeed there is a passage where, mingling with the trampling of horses, the ear can almost distinguish the jingling of spurs, and a picture of a brilliant cavalcade cantering by upon gaily-caparisoned steeds is presented to the imagination—a picture whose brilliance is heightened occasionally by a burst of song.

There is another peculiarity of style whose *raison d'être* becomes manifest when construed upon a positive poetic basis. This is the radical "syncopation." By this term I refer to those passages in which Schumann was compelled to introduce a long syllable, as indicated by a note of longer duration upon a weak beat of the measure. In the mild form of syncopation to which I have alluded in speaking of accents, we noticed that Schumann was compelled to considerably augment the ordinary accentuation of certain beats. Where the radical form is introduced, however, we shall see that he had to break through the confines of the musical measure altogether. Here is still stronger proof of his purely poetical intentions. All our great composers have, in the main, conformed to the musical measure, but the rhythm of Schumann is frequently entirely at variance with it for the reason that he always chooses a measure which will conform to the poetic metre which he has in mind. As the metrical arrangement of the syllables, however, is likely to vary at the introduction of a new line, or at the beginning of a new stanza, Schumann was very frequently compelled to depart from the musical measure altogether, *i. e.*, to shape his metre in accordance with the demands of the poem. So long as this mode of expression is interpreted in a musical sense, it will lead to an accentuation against the time (contra-tempo), and the effect produced will be purely negative and, so far as Schumann is concerned, absolutely meaningless. So soon as we banish from the mind the framework of the musical measure, and endeavor rather to scan the metre according

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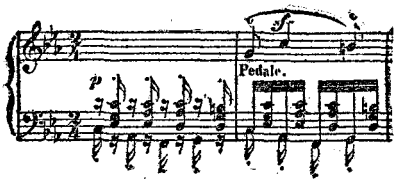
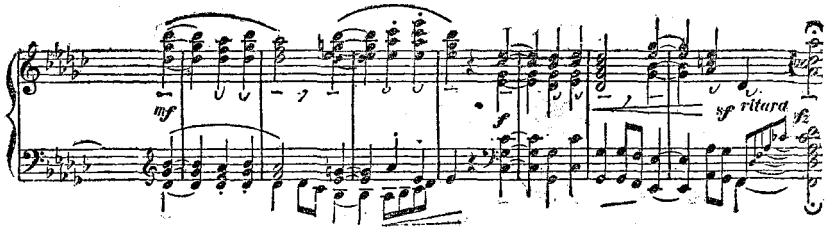
to the comparative value of the principal tones, every passage distinguished by what I have designated as the radical syncopation will acquire a positive meaning and will resolve itself into a perfectly clear-cut poetic phrase.



The staccato movement in the bass is like the sound of pattering footsteps, while occasionally an eager, hurried ejaculation, such as "Ich fang' dich" ("I 'll catch you"), is heard in the treble. The whole piece when properly rendered suggests to me a lively, exciting chase such as Burns describes in his poem on "Hallowe'en":—

"The lasses staw frae 'mang them a',
To pou their stalks o' corn;
But Rab slips out, an' jinks about,
Behint the muckle thorn;
He grippit Nellie hard an' fast,
Loud skirled a' the lasses;" etc.



I quote this example from the poem entitled "Whims" not merely to show that Schumann, owing to the varying metre of his poem, was compelled to introduce the thesis upon a weak beat of the measure; I have still another purpose in view. In the second measure we notice that two accented syllables, which are not closely related, follow each other. Upon closer inspection we discern here the clear demarcation of two phrases, and, having separated these, the whole passage or stanza resolves itself into four perfectly symmetrical lines (as indicated above), which, however, are closely interlinked. Thus we see that by en-

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deavoring to trace the metre we are frequently enabled to form beautiful and harmonious poetical lines,—indeed, even couplets and stanzas. Many and varied are the passages which might be adduced to prove this.

A separation into lines and stanzas is not necessary, however, except in certain instances where the phrasing is obscure. Furthermore, so far-reaching an analysis would be extremely difficult, for the reason that Schumann, in nearly every poem that he has given us, may be said to have created a new and original form. Strange as this assertion may appear to those who are familiar only with the conventional forms of English poetry, it will not seem so to those who are familiar with Goethe's poems. In a very large number of them Goethe has totally departed from the trammels of conventionalism; and the spirit of the German language, which he understood as no poet before him, sanctions such a departure. Thus Goethe may be said to have largely created independent poetic forms; and this is true, not only as regards the metrical construction of the lines, but also as regards the form of the stanzas, which are frequently of unequal length. Now Schumann, whose knowledge of the poets was extraordinary, must undoubtedly have been deeply influenced by the genius of Goethe,—whether directly or indirectly, it is difficult to tell; for it is not easy to trace those subtle influences by which one genius affects and stimulates another. Suffice it to say, however, that what is true of a very large number of Goethe's poems, is also true of all of Schumann's. They are free and independent poetic productions. It would be interesting to show here, for example, the effect produced by the unique arrangement of the stanzas in the poem "Erster Verlust" by Goethe, and in the exquisitely delicate production "Kind im einschlummern" by Schumann. To do this carefully and conscientiously, however, would require too much space. Yet there is one word which I desire to say about this last-mentioned poem by Schumann. We occasionally find that the lyrical poet, in order to produce a more vivid effect, resorts to sounds and exclamations, rather than words. In the refrain to the "Zigeunerlied" ("Gypsy Song"), Goethe has in this way produced a very powerful effect. Yet if the entire poem were made up of such sounds, the effect would, for obvious reasons, be ludicrous in the extreme. Schumann, unfettered by words, had far greater latitude in this respect. He could, above all things, produce extremely *delicate* effects. Thus, for example, in the little lullaby "Kind im einschlummern," we hear the -Ssh! -Ssh! of a mother. We hear all the soothing tones with which

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she lulls the infant, nestling in her arms, to rest. In this poem Schumann has been enabled, by reason of his peculiar endowment, to admirably present a situation requiring an expression too soft and tender, and a treatment too exquisitely delicate, for words.

In quoting the poem "Fabel" I have stated that, if a composition by Schumann is delivered with true eloquence, the hearer can form an approximately correct idea of the nature of the subject that inspired it. This statement, however, does not apply to his lengthy and involved compositions which are not distinguished by a clear title. If it may be said of the symphonies of Beethoven, that they possess all the charm of the indefinite (for who can trace the numerous, complex, and hidden sources of inspiration here?), it may be said of the symphonic compositions of Schumann, that they lack the charm of the definite. They are nothing more nor less than poems in four parts, and it is almost impossible for the hearer who follows a performance of one of these symphonies to trace the relation of ideas between those parts. The same applies to some of the larger pianoforte compositions, such as the "Humoreske." I believe that while there is a perfectly logical relation of ideas between the detached and fragmentary portions of this composition, yet it would nevertheless be unsatisfactory, even if played by a Rubinstein, for it imposes altogether too great a tax upon the imagination of the hearer. This obscurantism of Schumann, as to the title and plan of his productions, is unfortunate. It may be traced to a number of causes, which, however, are too complex to admit of analysis here. After all it may be said that, if he has given us the most striking proof of his greatness and originality as a poet in his independent instrumental productions, he has undoubtedly found the most satisfactory form of expression in his "Songs," or, to be precise, in the poems which he has "set to music." Here we have the lyrical poem in its perfection. The words give us the clear and definite expression of the ideas, while all the rich elements of eloquence are supplied by Schumann. Here he gives us an additional proof of his peculiar endowment; for while Schubert, the musician, raises the lyrical poem into an ideal realm and completely transforms, one might almost say, transfigures it, Schumann adheres strictly to the oratorical accent.

It is astonishing how completely our conception of Schumann becomes transformed, so soon as we judge him calmly, dispassionately, thoughtfully, *i. e.*, from the strictly objective point of view. We shall marvel at the fairly kaleidoscopic variety of subjects presented, most of which, however, may be termed genre pictures gleaned from Ger-

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man life. In one poem we listen to the artless prattle of a child; in another, we see a group of old crones shaking their heads together as they exchange an important bit of village gossip; in another, the swinging, rattling couplets of a rollicking ditty are dashed off with a swagger. Frequently we find ourselves amidst the mirth and uproar of a German festival. Some poems are characterized by an extraordinary power of invention, and others again by bold and dazzling imagery. We shall not only be astonished at the great variety of subjects presented, but we shall also marvel at the faculties called into play in shaping them. We shall realize that in many of Schumann's more pretentious poems a great number of elements are involved (sounds, sights, emotions, ideas, and actions), and that all these various elements are, by reason of his marvellous power of condensation, blended into a homogeneous entity,—into that marvel of beauty and harmony, the lyrical stanza.

I shall now give an example of Schumann's eloquence which will at the same time illustrate in a general way the standpoint from which I believe he should be judged. For this purpose I shall select the poem entitled "Aufschwung" ("Excelsior"). Here we have the idea of the Parnassus, an idea as old as the human race itself. For there has never been an individual cast in a heroic mold, who has not at some period of his life beheld himself, as in a vision, toiling up the steep sides of that towering mountain whose summits are hidden in clouds. Amid booming, crashing chords that surround it as if to oppose its progress, that crowd in upon it as if to overwhelm it, we hear a heroic "motiv" steadily pressing forward as if bearing away all impediments. What superhuman effort, what heroic exertions in this "motiv," which at the end of the phrase break forth into a ringing cry of "Onward! Ever Onward!" As we listen to the mighty tread of this movement, what a host of ambitious spirits pass in review before us! We behold the inspired artist who with uplifted eyes presses ardently forward to embrace the shining ideal of his soul, the hero leading his armies onward upon the paths that lead to victory, the bold pioneer who braves the terrors of the unknown. "Forward!" is the motto of this first movement, and the key-note of the entire poem. The next "motiv" is almost indescribable, for upon its wings it bears all the soaring aspirations of youth, and to describe the intensity of these is beyond my power. How describe that glorious period of our lives when forms of enchanting loveliness flit before us and draw us onward, when the sounds of the syren's song set our senses all awhirl?—

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"When our blood is all afire
With unquenchable desire!"

How describe the dazzling visions that fill the bright perspective of youth, visions that seem so real, so tangible? What are beauty, fame, power, and perfect freedom but ideals, that flee from us as we approach them, that ascend into the clouds as we pursue them? Yet they fire us on to ever higher endeavor, and all human progress may be traced by the footsteps of those who have pursued these ideals, even unto death. Such, in brief, are the ideas and emotions suggested by the second division of the poem.

Let us now endeavor to trace the lines more closely, in order that we may follow the train of thought. The first two lines express the idea of aspiration, "per aspera ad astra" (measure 17–21). In these lines the voice of the hero rises higher and higher, as if upon wings. In the two following lines his voice falls again as if mingled with the longing which consumes him, a thought of the unattainability of his ideal fills him with despair; and yet, only momentarily, for the next two lines are full of manly resolve. He sees the difficulties that beset him, yet they are as nothing to the attainment of the shining goal. He solemnly vows to stake all upon the accomplishment of his purpose. The stanzas of the second division are repeated, whereupon the motto of the piece is again introduced. Now it is blended with the wild music of the pouring torrent and the roar of the sweeping flood. It battles with the chaos of sounds that seek to engulf it. It rings out victorious. "Louder than the fanfare of the cataract and fiercer than the sweeping tide is the voice within me that bids me onward! Defiance to the buffeting waves! On! Onward to the goal!" As the voice of the hero, which seems to come from a great height, is borne away, the theme is changed and for a moment we seem to listen to the poet himself; to the voice of age and experience. We hear the despairing tones with which we call upon the loved ones, whom we know are doomed, whose step we would fain arrest, but cannot. But the voice of the poet is overshadowed by the movement itself, which steadily proceeds with undiminished pace. The next passage is more descriptive. The poet seems to follow the impetuous career of the wanderer in thought. What a picture of a storm-tossed landscape, ruled by the Demon of the Wind, is here presented! The wanderer presses forward against the fierce wintry gale (the idea of bitter adversity), which makes its melancholy music about him as it sweeps along upon its desolate path. Swiftly in the wake of the wind follows the

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snow. It encircles the wanderer in a white, whirling maze. It sweeps about him in sharp, eddying drifts. Swiftly and silently it spreads its chill mantle over the landscape. The paths disappear; the wanderer is cut off from the world. And again, though the movement steadily proceeds, we hear the despairing outcry of the poet, "He passeth on, no aid can save him now from sure destruction!" The watchword of the hero now once more resounds! Above an ominous, rumbling tone the first theme of the piece rises steadily, yet with fearful effort. The very chords seem to gather themselves together as if preparing for an approaching catastrophe; louder and louder becomes the sound of the rolling masses of tone. It increases in fury and velocity. Now it is as the sound of chariots rolling in thunder! And now the very mountains are shaken to their foundations, as the avalanche crashes along in its mad career into the valley, carrying death and destruction before it. Yet in the midst of the universal downfall, we behold a hero grappling with all the demons of the elements, undauntedly treading upward and onward, amid all the terrors of nature! Now, once more, we hear syrenic sounds which fill the heart of youth with longing and draw him onward to his destiny; and the poem closes with the original motto, which is given concisely as at the beginning, with the exception of the last line, which rolls away in a minor key like the glorious farewell of a hero, heard from afar.

I consider it no derogation to say that Schumann was not a musician. It is true that he has diverted music from its proper channels, and in this way set a bad example to mediocre imitators. Yet this circumstance can be traced, first, to the fact that the relation between the arts was very little understood in the time of Schumann; and, second, to the nature of the man himself. Have the wranglings between the so-called disciples of the Wagnerian school and the supporters of Schumann—wranglings distinguished by blind passion and prejudice—given us an insight into the nature of the latter? None whatever. Now, the spirit of a man manifests itself directly in his productions, and these do but radiate from his inmost soul as the rays of light from the prism—they all focus in the nature of the man. It is only when we can fully grasp the individuality of Schumann, when we can behold the man, as he actually was, stripped of all the conventionalities and artificialities that modern investigation has woven about him, that we begin to appreciate his true greatness.

JOSEPH SOHN.

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THE STUDY OF FOLK-LORE.

THE end of the nineteenth century will always be noted for the wonderful interest taken in the study of man, his works, his thoughts, and his opinions, past and present. It will be marked, moreover, by the rise and growth of a new science,—the science which studies mankind from the time when the earth and the human family were young down to the present time. This science (whether called Anthropology or Comparative Folk-Lore) studies the progress of man in culture. It reveals the evolution of modern culture from the beliefs and usages of savages and simple-minded folk. Now, folk-lore is concerned more particularly with the "survival" of primitive or ancient ideas and customs in modern civilization: that is to say, our study traces the development of tribal custom into national law; of pagan custom into Christian ecclesiastical usage and popular festivals; of sorcery and magic into astrology, and finally into astronomical science; of song and dance into Greek drama and poetry; of nursery tales and *Märchen* into the epic and the modern novel.

Again, the end of the nineteenth century is remarkable for the immense number of books devoted to the Folk—to people who have shared, as Mr. Lang puts it, least in the general advance. These people are, first, the backward races, as the natives of Australia and our Indian tribes; then the European peasantry, Southern negroes, and others out of touch with towns and schools and railroads. Within the last twenty years at least a hundred volumes have been published containing the legends, traditions, or tales of the folk of Germany, France, England, Russia, Austria, Norway, Sweden, Iceland, Greenland, Italy, Greece, and Spain. The folk of Asia and Africa have contributed their lore to the collector of popular tales. Besides, missionaries and travellers have published volumes in which the curious customs, beliefs, and usages of the folk are set forth in detail.

The comparative study of all this material has disclosed some remarkable facts, and some highly important conclusions have been reached. Thus, it was early discovered that in popular or folk tales are imbedded the remains of rude customs, pagan beliefs, and savage

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usages; so that nursery tales and fairy stories, which were regarded with contempt by scholars until the brothers Grimm made their collection of "Kinder und Hausmärchen," now seem to have a scientific value for the ethnologist, the comparative mythologist, and the student of comparative literature.

It is an accepted conclusion that human civilization has passed through the stage of mental development which we find among the folk. This point was brought out by Major J. W. Powell in a recent address at the meeting of the American Folk-Lore Society. He said:

> "All savage peoples, all barbaric peoples, all the lower classes of mediæval civilization, and all mankind in the higher stages of civilization, have ideas and opinions which they have inherited from the past, and these ideas and opinions we study in the folk-lore of the past. This gives us a Folk-Book."

But it should be remembered that folk-lore includes what is unwritten. It is limited to such human ideas and opinions as are *orally* transmitted from generation to generation, from age to age. This knowledge ceases to be the lore of the folk when it is put in writing.

The term "folk-lore" was first suggested by the late W. J. Thoms in the London "Athenæum" in the year 1846. In a communication Mr. Thoms urged the collection of popular antiquities or popular literature, which, as he said, "is more a lore than a literature, and would be most aptly designated by a good Saxon compound, 'folk-lore,' —the lore of the people." He included under this term, "manners, customs, observances, superstitions, ballads, proverbs." The new name met with favor, and "folk-lore" has become incorporated not only in the English language, but has been adopted by foreign tongues. Some of the Continental peoples still use the expression, "popular traditions."

In 1878, thirty-two years after the introduction of "folk-lore," the English Folk-Lore Society was organized, and has since grown into a large and powerful organization, with a membership of five hundred, including the leading scholars of Great Britain. The work of the Society is recorded in the numerous volumes published under its authority, and also in the special monographs. It now issues a journal entitled "Folk-Lore." There are to-day folk-lore societies in almost every country of Europe, and also in the far East. Most of these societies publish their proceedings. In France, Germany, Austria, Italy, Spain, Holland, Greece, Norway, and Sweden, there are papers and publications devoted to the collection and discussion of folk-lore.

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The American Folk-Lore Society was organized at Cambridge, Mass., in 1888.[1] The seven volumes of the "Journal of American Folk-Lore" already issued show the wonderful wealth of popular traditions in this country. Our folk-lore is highly composite, resulting from the great tides of immigration which have rolled over our shores and formed our present strange commingling of races. The material gathered in the "Journal" has a very wide range. It includes the myths and tales of the Indians, of the negroes, and of the Creoles; the customs and superstitions of the Germans in Pennsylvania, of the Portuguese in New England, and of the "poor whites" in the South; and it records the belief in witchcraft lingering not only in the remote mountain ranges of the Blue Ridge in Tennessee, but in the thicker-settled sections of the East and West. It collects the current superstitions, belief in ghosts and haunted houses, omens, portents, queer customs, and weather warnings, brought more or less by all European immigrants, as well as the games, songs, jingles, rhymes, and riddles of children, which often have a curious meaning or significance. The American Folk-Lore Society has now a membership of nearly one thousand, and its influence has been greatly extended by the formation of branch societies in Boston, New York, Philadelphia, Baltimore, New Orleans, Memphis, Chicago, Minneapolis, and in Montreal, Canada.

A few years ago the English Society issued "The Handbook of Folk-Lore," in which the material of which folk-lore is composed was classified as follows: 1. Superstitious Beliefs and Practices: including those relating to natural objects, as trees, plants, and animals; goblindom, witchcraft, leechcraft, magic, and divination; beliefs relating to future life; and superstitions generally. 2. Traditional Customs: including those relating to festivals, ceremonies, and games, or identified with certain localities. 3. Traditional Narratives: such as nursery tales (or *Märchen*), hero tales, drolls, fables, and apologues; creation, deluge, fire, and doom myths; ballads and songs; place legends and traditions. 4. Folk Sayings: as jingles, nursery rhymes, riddles, proverbs, nicknames, and place rhymes.

The student of this subject uses the comparative method. Thus,

[1] Its chief object is stated to be the publication of a journal of a scientific character designed: 1. For the collection of the fast-vanishing remains of folk-lore in America, namely—(*a*) relics of old English folk-lore (ballads, tales, superstitions, etc.); (*b*) lore of the negroes in the Southern States; (*c*) lore of the Indian tribes of North America (myths, tales, etc.); (*d*) lore of French Canada, Mexico, etc. 2. For the study of the general subject, and publication of the results of special studies in this department.

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he places the superstitions of the European peasant, or of the Southern negro, side by side with similar superstitions among the Indians, the Hottentots, and other low races. He compares the modern belief in ghosts and goblins with the savage belief in the spirits of the dead. He finds little or no difference between savage ghost stories and the "facts" adduced by the Society of Psychical Research. The difference is simply one of degree, not of kind.

It is perhaps not generally known that savages hold séances. Among the lower races the shaman, or medicine-man, is always a "medium." He can control spirits, and, like *Owen Glendower* in "Henry IV," can call spirits from the "vasty deep." The lowest savages are perfectly familiar with many of the "doings" which so surprise educated people of the present day. Mr. E. B. Tylor writes:

> "Suppose a wild North American Indian looking on at a spirit séance in London. As to the presence of disembodied spirits manifesting themselves by raps, noises, voices, and other physical actions, the savage would be perfectly at home in the proceedings, for such things are part and parcel of his recognized system of nature."

When it comes to magic or legerdemain, I doubt if any modern magician could rival the following performance which took place some years ago on an Indian reservation in Wisconsin, and is vouched for by the late Col. Garrick Mallory of the Bureau of Ethnology:

> "The shaman was tied much as before mentioned; then a fish-net was tied above his clothes, enveloping the whole person; and horse-bells were attached to his body, so as to indicate any motion. . . . When examined afterwards, the clothing had been stripped from his person; the nets, and ropes, and bells placed in a separate pile in the lodge; and the clothing was found by direction under a designated tree a *mile off*."

If as clever a feat could be given in the Academy of Music, New York, and the magician's clothing could be found at the close under a tree in Central Park, we might admit that civilized magic is as good as that of the savage.

The second division of folk-lore above indicated is that relating to traditional customs, including games. Folk-lore students have shown the identity of many curious marriage customs in different parts of the world. So, too, with burial customs. The harvest customs of the folk shed a flood of light on their manners, modes of thought, and beliefs. Perhaps the most interesting as well as the most important are the folk-festivals.

All savage peoples, all the lower classes no higher than peasants,

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and all people in the higher stages of civilization, have their festivals, many of which have come down from the remote past. The festivals of the lower races are mostly of a religious nature, either instituted by, or held in honor of, some god. Our Indian tribes, without exception, seem to have been fond of feasting and dancing. The Zuñi Indians, for example, still maintain elaborate ceremonies in midsummer, in order to obtain rain for the growing crops. Those who have read Captain Bourke's book on "The Snake Dance of the Moquis" have some idea of the remarkable features of a religious festival. In this dance venomous snakes are carried in the hands and mouths of the performers. Another feature of ancient festivals was the setting forth in action the story of some traditional event or of some deity. After a while this developed into a kind of play or drama. Indeed, we find the germs of the theatre and the music hall in the mystery-plays of the Indians and Greeks. The Navajo Indians have a ceremony lasting nine days, in which the myth of their tribal history is presented in a dance or series of dances. It is accompanied by the usual stage features and "properties," such as picturesque dances and costumes; while the shaman, or medicine-man, is the stage manager and directs the actors and *corps de ballet*.

The final step in the evolution of the real popular drama from religious mysteries or miracle-plays is seen in the rise and growth of Greek tragedy. Few scholars need to be told that the Greek plays were simply a higher development of the dances with which the early Greeks celebrated their religious festivals. At the rustic Bacchic festivals the people sang hymns in honor of the wine-god, and danced on goat-skins filled with wine. They smeared themselves with wine-lees, painted their naked bodies, put on masks, covered themselves with skins of beasts, and tried to take the parts of nymphs, fauns, and satyrs. Thus Dionysus, the god of Bacchic revel, became later on the patron of the Greek drama. Year by year, and generation after generation, the choral songs and dances at the festival grew in variety and beauty. Then some one (Thespis, it is said) introduced a simple dialogue, and finally, in the hands of the poets Æschylus and Sophocles, were evolved those masterpieces of dramatic poetry and art which are the wonder and admiration of their successors.

The important feature of all festivals, as I have noted, is dancing; and dancing—in religious ceremonies especially—is a serious matter. On certain occasions the dancer who made a mistake was killed. The leaders of the dance were always medicine-men or chiefs, and it was

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through their skill in the dance that they either won or maintained their position and power. Hence it is instructive to note how dancing —in primitive times so serious an affair—has become the comparatively frivolous matter that it has been for centuries and is to-day. This is the result of a general law of mental evolution, namely, that things and practices which occupy an important place in the minds and doings of people in a low stage of culture survive only as matters of amusement, or of play, or of æsthetic feeling, in a period of civilization.

This law holds good in the customs connected with many games. To cite a trivial instance: children the world over use "counting-out" rhymes in their games, in order to determine who shall be "it." We all know the queer doggerel beginning:

"One-ery, two-ery, ickery, Ann," etc.

—or, the rhyme beginning—

"Ana, mana, mona, mike,
Barcelona, bona, strike," etc.

These mysterious formulas, containing an admixture of gibberish with words of some meaning, are found in many tongues; and yet, how many people have any idea that the children are repeating the practices and language of a sorcerer in by-gone days? Very few; but there is good reason for believing that the custom of counting out is a survival of sortilege, or divination by lot, and that the doggerel is a relic of the spoken or written charms used by sorcerers in their mystic incantations.

To cite another curious example:

"Snail, snail, come out of your hole,
Or I will beat you as black as a coal."

A formula of this kind was employed as part of a mediæval rite which was performed in order to keep mice from doing damage to the field crops. The people of certain parts of Europe used to turn out in a body, form a procession with the priest or magistrate at their head, and thought to drive the mice from the fields by repeating or crying out certain mystic words or formulas. This mediæval rite was undoubtedly a survival of some old Greek or Roman festival. As Mr. Newell has pointed out in his "Games and Songs of American Children," the very common childish game of the "Knights in Spain" beginning with—

"Here come three lords out of Spain
A-courting of your daughter Jane,"

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—involves the idea of marriage by purchase. Not only that, but the whole game literally represents other ancient marriage usages which obtained in Europe at a comparatively recent period, including, as Mr. Newell thinks, a reminiscence of marriage by capture.

In regard to the third division of the subject—traditional narratives—we have, in the first place, those narratives which attempt to explain natural phenomena. These are called myths. They relate to the sun, moon, and stars, the animal and vegetable worlds, and various natural surroundings. Man is curious, and he wants to know about certain things; so he asks: "How was the world made?" The answer is told in the Greek myths of Cronus. "Whence came man?" The myths of some peoples reply, out of a hole in the ground; others represent him as the child of a rock or stone; others, again, make him the descendant of the animals. Then there are myths that attempt to answer more trivial questions, such as "Why is the sea salt?" "Why is the crow black?" and "Why has the woodpecker red feathers on its head?" Do you know why the bear has only a stumpy tail? No: but the Iroquois story-teller can explain it. He says that the cunning fox induced the ancestral bear to put his tail to fish in a hole in the ice, where it froze fast, and the bear had to leave it there in order to get away. The negro philosopher in Col. Jones's book of "Negro Myths" has a different explanation for Buh Rabbit's short tail. It seems Buh Bear had a fine well of pure water to which Buh Rabbit helped himself without asking. Then Buh Bear took a big crawfish and dropped it into the well; so that the next time Buh Rabbit came to carry water the crawfish seized him by the tail, and, in pulling away, the tail came off.

In the second place, we have a class of narratives which do not explain anything. They range from the fables of the ancient Hindus and Greeks, and the popular tales of the Zulus, to the household tales of the European peasantry, even to the romantic and heroic tales of civilized peoples. Thus, the savage makes the characters in his stories beasts or birds; the Southern negro says "Brer Rabbit" or "Brer Terrapin"; the German peasant tells of the adventures of "a poor boy" or "a soldier"; the French countess describes the doings of princes and princesses; the epic poet sings of "Knights of the Round Table." Now and then the tales of the folk achieve literary fame and immortality. The "Iliad" and "Odyssey" are largely made up of the stories that were first in the mouths of the people, but it took the genius of Homer to produce the grand epic.

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The two problems raised by folk tales are: (1) their origin; (2) their distribution. When and where were they invented? How do they come to be found alike the world over? These are the problems which folk-lore students are trying to solve. It is doubtful if the whole truth will ever be known about the origin or the diffusion of popular tales. All we know is that a folk tale can take the wings of the morning and fly to the uttermost parts of the earth. That is why the stories of old "Uncle Remus" are found in Europe, Asia, and Africa. In fact, the germ of the famous "Tar-Baby" story of the old negro is discovered in one of the *jatakas*, or "birth-stories" of the ancient Buddhists.

The fourth and last division of our subject is concerned with folk sayings. Under this heading we have many of the minor elements of folk-lore. Let us conclude with one curious example. Take riddles. They seem to us trivial things, and yet they have played an important part in folk life, and that from antiquity, as the stories of Samson, Œdipus, and Apollonius of Tyre plainly show. Very curious is the use of riddles in courtship. It is a custom which has no parallel or explanation in anything in modern life. The interest in riddles is seen in the large number of folk tales in which riddles are the chief feature. Thus, there is a class of stories in which the bride is won by the solution of a riddle. In another class the bride proposes the riddle, and the suitor who fails to answer it correctly is killed; or the suitor is obliged to propose one himself, and if the bride fails to answer it she must marry him; but if she succeeds, the suitor is killed. Evidently, where the penalty is death, riddles have a serious aspect and a significance which modern suitors do not fully appreciate or understand. And yet the use of riddles in courtship, described in European folk-lore, survives to this day in plantation courtship among the negroes.

Such, in briefest outline, is the scope, nature, and value of folk-lore. We have only touched with the finger-tips, so to speak, the main points: many important features of the subject have remained unnoticed: for example, folk-song and folk-music. Folk-lore is a study to which every one can contribute his or her mite. It is also a study which will lead one into pleasant paths, but into strange nooks and corners: into the African kraal, the Indian wigwam, the Esquimau snow hut,—even into the parlors and kitchens of city folk, and the busy marts of trade in Wall Street.

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